

# Hawaiian Gazette

VOL. XXXV., NO. 24

HONOLULU, H. I., FRIDAY, MARCH 23, 1900 SEMI-WEEKLY.

WHOLE NO. 2161.

## Hawaiian Gazette.

SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS

WALTER G. SMITH, EDITOR.

SUBSCRIPTION RATES:

PER MONTH, \$ 50  
PER YEAR, FOREIGN, 7.50  
PER YEAR, FOREIGN, 6.00  
Payable Invariably in Advance.

A. W. PEARSON,  
Business Manager.

C. J. FALK.

STOCK AND BOND BROKER, NO. 310  
Fort St., (McInerney Bldg.) Member  
Honolulu Stock Exchange.

LYLE A. DICKEY.

ATTORNEY AT LAW AND NOTARY  
Public, P. O. Box 786, Honolulu,  
H. I. King and Bethel streets.

FREDERICK W. JOB.

SUITE 815, MARQUETTE BUILDING,  
Chicago, Ill.; Hawaiian Consul  
General for the States of Illinois,  
Michigan, Ohio, Indiana and Wis-  
consin. ATTORNEY-AT-LAW.

W. R. CASTLE,

ATTORNEY AT LAW AND NOTARY  
Public. Attends all Courts of the  
Republic. Honolulu, H. I.

H. HACKFELD & CO., LTD.

GENERAL COMMISSION AGENTS.  
Queen St., Honolulu, H. I.

F. A. SCHAEFER & CO.

IMPORTERS AND COMMISSION  
Merchants, Honolulu, Hawaiian  
Islands.

Robert Lewers. F. J. Lowrey.  
C. M. Cooke.

LEWERS & COOKE.

IMPORTERS AND DEALERS IN  
Lumber and Building Materials.  
Office: 414 Fort street.

C. HUSTACE.

Wholesale and Retail Grocer.

212 King St. Tel. 113.

FAMILY PLANTATION AND SHIP'S  
Stores Supplied on Short Notice.  
New Goods by every steamer. Or-  
ders from the other islands faith-  
fully executed.

CONSOLIDATED SODA WATER  
WORKS CO., Ltd.

Esplanade, Cor. Fort and Allen Sts.  
HOLLISTER & CO., Agents.

HONOLULU IRON WORKS CO.

MACHINERY OF EVERY DESCRIPTION  
made to order

THE PACIFIC CABLE.

House Will Probably Pass a Govern-  
ment Construction Bill.

NEW YORK, March 15.—(Afternoon  
Service.)—A special to the Herald from  
Washington, says:

Senator Hale, chairman of the Senate  
Naval Committee, is engaged in the  
preparation of the report of his com-  
mission, unanimously recommending  
the construction by the Government of  
a cable between San Francisco and Ho-  
nolulu as part of the line to connect  
San Francisco, Manila and Yokohama.

It is likely from present indications  
that when the Pacific cable matter  
comes before the House that body will  
determine to pass a bill authorizing  
Government construction of the line.  
Eight members of the House Commis-  
sion on Inter-State and Foreign Com-  
merce now favor this plan and two  
favor the subsidy bill, with a provision  
for Government construction as an al-  
ternative.

Wiemann Estate Report.

A first and final account of the finan-  
ces of the H. A. Wiedemann estate  
has been filed by Henry Smith, mas-  
ter. He recommends that the accounts  
be approved and the executors dis-  
charged, closing the administration  
and opening new accounts with the  
trustees, who are the same as the ex-  
ecutors: H. R. Macfarlane, F. W. Mac-  
farlane and J. M. Dowsett. The in-  
come balance is \$7,098.32, to be distrib-  
uted, and the capital to be added is  
\$23,267.84. The death of the widow of  
the deceased since the filing of the ac-  
counts has made it necessary to dis-  
tribute about \$150,000 to the children  
and grandchildren. The master states  
that it is his understanding that this sum  
will be realized from the sale of per-  
sonal property, and that the real es-  
tate will be kept intact if possible.

The price of water in Kona, Hawaii,  
has risen. A letter recently received  
states that the people of the district  
who have cisterns for catching and  
storing rain water are selling it at the  
rate of 50 cents per five gallons.

## CAPITAL IS OCCUPIED

Bloemfontein Falls to  
Roberts.

AMERICA WOULD MEDIATE

Boers Will Destroy Johannesburg to  
Keep It from Becoming an  
Offensive Base.

LONDON, March 13, 9:55 a. m.—  
The War Office has received a dis-  
patch from Lord Roberts announcing  
that General French reached Bloem-  
fontein last evening and occupied  
two hills close to the railway station.

LONDON, March 15.—A dispatch to  
the Daily Chronicle from Bloemfontein  
dated Tuesday evening, March 13th,  
says:

Bloemfontein surrendered at 10  
o'clock today. It was occupied at  
noon. President Steyn, with a major-  
ity of the fighting burghers, has fled  
northward.

General French was within five miles  
of the place at 6 o'clock Monday after-  
noon. He sent a summons into the  
town threatening to bombard unless it  
surrendered by 4 a. m. Tuesday. A  
white flag was hoisted Tuesday morn-  
ing, and a deputation of the Town  
Council, with Mayor Kellner, came out  
to meet Lord Roberts at Spitz Kop,  
five miles south of the town, making a  
formal surrender of the place.

Lord Roberts made a state entry at  
noon. He received a tremendous ovation.  
After visiting the public build-  
ings he went to the official residence  
of the President, followed by a cheering  
crowd, who waved the British flag  
and sang the British national anthem.  
They were in a condition of frenzied  
excitement.

Monday afternoon, previous to the  
surrender, there had been a little snip-  
ping and shelling, but the enemy re-  
tired. Lord Roberts has his headquarters  
at the President's house, and there are  
many of the British wounded in the  
building. The railway is not injured.  
The following is the text of Lord  
Roberts' dispatch to the War Office an-  
nouncing his occupation of Bloemfontein:

"BLOEMFONTEIN, March 13, 8  
p. m.—By the help of God and by the  
bravery of Her Majesty's soldiers the  
troops under my command have taken  
possession of Bloemfontein. The British  
flag now flies over the Presidency,  
evacuated last evening by Mr. Steyn,  
late President of the Orange Free State.  
Mr. Fraser, member of the late execu-  
tive government; the Mayor, the sec-  
retary to the late Governor, the Land-  
rost and other officials met me two  
miles from the town and presented me  
with the keys of the public offices.  
The enemy have withdrawn from the  
neighborhood and all seems quiet.  
The inhabitants of Bloemfontein gave  
the troops a cordial welcome."

The above dispatch, though dated  
Tuesday, was not received at the War  
Office until 7:30 p. m. Wednesday. It  
was made public a few minutes before  
9 o'clock. The delay is attributed to  
the field telegraphs not being connect-  
ed with Bloemfontein on Tuesday even-  
ing. Extra papers are already out on  
the streets and the night crowds of  
London are singing patriotic songs and  
engaging in demonstrations.

LONDON, March 15.—A dispatch to  
the Daily Mail from Bloemfontein, dated  
Tuesday evening at 7 o'clock, says:  
"We surprised and outflanked the  
enemy with irresistible force over-  
night. General French held the enemy  
north and south of Bloemfontein, while  
Lord Roberts dispatched a prisoner on  
parole, threatening to bombard unless  
the city surrendered. The townsmen  
became alarmed. President Steyn and  
the chief members of the Executive  
Council fled and proclaimed Kroon-  
stadt to be the capital.

"Steyn fled to Winburg. At last only  
3,000 fighting men remained and in  
the morning, finding themselves so  
weakened, broke their guns. Others  
fled. The remnant still sheltered Gen-  
eral French at dawn, but the opposi-  
tion soon collapsed. Eight locomotives  
and much rolling stock were captured.  
The Boer organization is collapsing  
and the breach between the Free States  
and the Transvaalers is widening.  
Major General Pretorius has been  
appointed Military Governor of Bloem-  
fontein. Lord Roberts and his staff  
have ridden through the town and been  
everywhere cheered. The British na-  
tional anthem is enthusiastically sung  
by the population, the shops are glad-  
ly opening and there is general rejoic-  
ing."

Threatened to Bombard.

CAPE TOWN, March 15.—(Afternoon  
Service.)—The Transvaalers at Bloem-  
fontein threatened to turn their guns  
on the town if the peace advocates re-  
fused to fight but the threat was un-  
availing. The war party fled. The  
British are now working the Free State  
railroad.

The Occupation.

LONDON, March 15.—(Afternoon  
Service.)—At precisely 1:30 o'clock  
Tuesday afternoon a Union Jack spe-  
cially made for this purpose by Lady

Roberts was hoisted over the presi-  
dency. Bloemfontein amidst the ac-  
clamations of the commander-in-chief's  
battalion, in which curious enough  
the Orange Free State burghers appear  
to have joined with remarkable hearti-  
ness.

The opposition to the entry of the  
British troops into the capital was in-  
significant. The troops were occupying  
a few high places in the hills about the  
place, but a few shells drove them out  
at 10 o'clock in the morning and news-  
paper correspondents entering the  
town found Mr. Fraser and others and  
guided them to where Lord Roberts  
stood on the top of a hill waiting for  
them. As spokesman, Mr. Fraser asked  
protection for life and property and  
surrendered the keys. Lord Roberts,  
accompanied by his staff, rode at the  
head of a cavalcade a mile long to the  
presidency, receiving an ovation  
throughout the route, culminating in  
a remarkable demonstration at the  
market square. Reaching the govern-  
ment buildings Lord Roberts took pos-  
session of the city in the name of the  
Queen and then repaired to the presi-  
dency, where the ceremony of hoist-  
ing the Union Jack ended forever, ac-  
cording to universal opinion here, the  
Boer government of the Free State.

During his passage through the town,  
Lord Roberts stopped and ordered the  
instant replacement of goods which  
were being looted from the artillery  
barracks by Kaffirs, thus giving the peo-  
ple an earnest assurance of the treat-  
ment they might expect from the vic-  
tors. President Steyn fled to Kroon-  
stadt without replying to Lord Roberts'  
demand for his surrender and the com-  
mander-in-chief remarked afterwards  
during the course of conversation while  
breakfasting at the farm of President  
Steyn's brother, that the ex-president  
had become a nonentity. The British  
troops, with the exception of those  
necessary to police the town, remain  
outside.

Press dispatches giving the most of  
the above interesting details, so settle  
the point of the cutting of the railroad  
and telegraph communication north of  
Bloemfontein, showing it was a plucky  
act.

Maj. Hunt Weston, of the Royal En-  
gineers, accompanied by ten men, trav-  
ersed the Boer lines and succeeded in  
cutting the telegraph lines and blowing  
up the tracks. Bloemfontein is now re-  
garded as a sort of a half-way house  
and base of operations for the advance  
on Pretoria.

The military authorities here expect  
a period of comparative quiet, while  
Lord Roberts is establishing railroad  
connection with Norval's Pont and  
Bethulle, giving the men and horses the  
rest necessary to fit them for the severe  
struggles which are believed to be still  
inevitable.

It seems likely that the next news of  
fighting may come from Natal. Gen-  
eral Warren's division which had  
reached Durban, and catting that the  
outflanking movement through the  
neck of Zululand referred to in these  
dispatches March 10, is about to com-  
mence. It is reported at Bloemfontein  
that General Joubert is at Brandfort,  
but other reports locate him at Biggars-  
berg.

Boers' Admit Their Loss.

PRETORIA, Wednesday, March 14.—  
(Afternoon Service.)—State Secretary  
Reltz this morning posted the follow-  
ing announcement:

"Yesterday Bloemfontein was occu-  
ped by the British after the burghers  
had retired in a northern direction. The  
seat of the government of the Free  
State has already been transferred to  
Kroonstadt."

Latest from the Front.

NEW YORK, March 15.—(Afternoon  
Service.)—A dispatch to the Tribune  
from London says: News from every  
quarter of the theater of war was  
meager at midnight. Gatacre's district  
is virtually cleared, the rebels having  
been dispersed at Ladysburg, East Har-  
ley and A. J. Wal North. The bridge at  
Adwal North was saved after a sharp  
fight. The railways will speedily be in  
operation to the Orange river at the  
three points where crossings can be  
made into the Free State. The rebel-  
lion among the whites of the Prieska  
district is not making headway. The  
British and colonial forces are restor-  
ing order in one village after another.  
Rumors that Cronje and the Boer  
prisoners will be sent to St. Helena  
are officially confirmed. The island  
will be reached after a five days' pas-  
sage, and the prisoners will be more  
comfortable than they have been at  
Cape Town, because they can be al-  
lowed more liberty.

The text of the correspondence be-  
tween the two Presidents and Lord  
Sallyburg has been read with the liveli-  
est feeling of satisfaction by the En-  
glish in South Africa, where it is in-  
terpreted as a clear intimation that the  
war must go on until the Dutch repub-  
lics are ready to surrender uncondi-  
tionally. The inference to be drawn from  
Pretoria dispatches is that the appeal  
of the two Presidents was designed to  
draw from the British Government a  
reply which would convince the Dutch  
that there was nothing before them  
except a desperate resistance to a war  
of conquest.

The action of the United States State  
Department has caused much surprise  
here, especially as it is misunderstood  
by the public in the absence of the text  
of the correspondence between the two  
Governments. The European Govern-  
ments are credited with acting more  
cautiously in waiting for the publica-  
tion of Lord Salisbury's reply before  
deciding whether there was any occa-  
sion for offering their services as  
peacemakers.

America Would Mediate.

LONDON, March 15.—(Afternoon  
Service.)—In the House of Commons  
today Mr. Redmond asked if the United

(Continued on Page 5)

## COUNCIL OF STATE

Argues Its Right to  
Alter Bills.

COOPER CREATES A CLASH

Ilsenberg Moves to Adjourn Sine Die.  
Motion to Amend Carried  
Despite Opposition.

That the Council of State did not ad-  
journ yesterday sine die after a heat-  
ed discussion between Attorney General  
Cooper and several members of the  
Council of State, is due perhaps to the  
fact that the latter body has the inter-  
ests of the Republic of Hawaii to con-  
sider as its main obligation to the tax-  
payers and citizens alike, and further-  
more that the appropriation of avail-  
able funds for the Board of Health and  
for every department of the govern-  
ment is absolutely necessary to insure  
their proper conduct.

Considerable temper was manifested  
by the Attorney General in his endeav-  
ors to impress upon the Councilors the  
fact that the Council of State had no  
powers other than those which priv-  
ileged that body to pass bills intro-  
duced by the Executive Council, exactly as  
they were when they left the Execu-  
tive's hands before presentation to the  
Council of State. His contention, also,  
was that the Council had no power  
either to increase or decrease the  
amounts as totalled, nor could it strike  
out or insert items. The telegram from  
Secretary Hay embodying the expres-  
sions of President McKinley as to the  
Council of State making the necessary  
appropriations for requisite expendi-  
tures, Minister Cooper contended, con-  
ferred no additional powers upon the  
Council beyond those already covered  
by the Constitution.

The logic of the Attorney General  
was attacked by several members of the  
Council, and also by Minister Damon.  
The latter calmly stated his views upon  
the subject, agreeing in the main with  
the Councilors. At the conclusion of  
his remarks, the Attorney General  
jumped to his feet, exclaiming:  
"I don't understand why the Minister  
of Finance takes a different course here  
than he does in the Executive Council."  
Minister Damon's quiet rejoinder  
was, "My words are on record in the  
minutes."

An appropriation of \$10,000 for avail-  
able funds for the immediate use of the  
Board of Health for the payment of la-  
borers, guards and other employees who  
are in absolute need of their back  
wages, was unanimously passed by the  
Council.

President Dole called the Council of  
State to order at 3 o'clock. Councilors  
Robinson, Jones, Kennedy, Robertson,  
Gonsalves, Kane, Bolte, Gear, Achil,  
Kaulukou and Ilsenberg answering to  
the roll call. Ministers Young, Damon,  
Mott-Smith and Attorney General  
Cooper were also present.

Secretary Manson read the minutes  
of the previous meeting which were ap-  
proved.

A petition to the Council of State  
was read, which was signed by many of  
the leading business and mercantile  
houses of the city, to which was ap-  
pended large bills for merchandise and  
foods sent to the quarantine station,  
ordered by Superintendent McVeigh,  
and incurred at the instance of J. K.  
Brown, United States Chinese Inspec-  
tor for the maintenance of Japanese  
who were held in quarantine and sub-  
sequently returned to Japan. The total  
footing amounted to over \$3,000, and  
the petitioners desired relief from the  
Council of State.

Jones raised the question as to  
whether the Council had any authority  
for acting upon such bills.

President Dole: "Of course the ques-  
tion comes up whether this being a  
meeting of the Council for pressing  
emergency matters, we should act in  
any cases such as this."

Achil moved the bills be referred to  
the Committee on Judiciary. Kane  
thought the bills went to the Finance  
Committee.

Cooper gave a detailed history of the  
bills, stating they should be paid by the  
United States.

Jones moved an amendment to Achil's  
motion to refer them to the Executive.

Robertson: "To bring the matter to  
a final analysis—the real point involved  
is the amendment of the total amount  
named in any particular bill. The same  
result would come from striking out  
an item or inserting a new one in the  
bill. If we have the right to alter the  
amount in any of these bills, we cer-  
tainly have the right to make any  
changes we desire in the items. I  
don't think it is right to send these  
bills to the Executive."

Gear contended that the powers of  
the Council of State have been enlarged  
by the very authority under which  
the Council is at present holding forth;  
President McKinley's telegram gives  
the Council full authority to make re-  
quisite appropriations. "According to  
the authority granted by the Hawaiian  
Constitution," said Mr. Gear, "we cer-  
tainly cannot make any appropriations  
except those which are necessary, oc-  
casioned by any great public calamity."  
So in accordance with the joint resolu-  
tion of annexation which has placed

with President McKinley the power for  
administering the laws of Hawaii in  
such manner as he sees fit he gives the  
Council the authority to make the  
necessary appropriations, and the  
privilege of inserting any items that  
seem necessary for the coming biennial  
period. It seems to me the motion is a  
very proper one."

Cooper: "The telegram says the  
Council may make appropriations for  
necessary expenditures. It does not  
seem to me the powers of the Council  
are enlarged beyond the Constitutional  
privileges. I don't think there is any-  
thing in Secretary Hay's telegram  
which enlarges the Council's powers.  
The telegram must be interpreted in  
connection with the usual powers of  
the Council of State. The Council on  
its own motion could not meet except  
through the Executive Council. For in-  
serting new items, I don't think the  
power exists."

Gear: "Do you mean to say the Coun-  
cil has no right to increase or decrease  
the amount of totals in any bill?"

Cooper: "No, I don't think so."

Robertson: "How was it a few weeks  
ago when the Council was called to-  
gether to make appropriations that an  
amount of \$10,000 was introduced and  
increased to \$25,000?"

Cooper: "I don't know. I wasn't  
present."

Achil: "If we find some bills that  
came in late then we have no right to  
add them to the amount?"

Cooper: "No, I don't think you  
have."

Ilsenberg: "Do you mean to say we  
cannot add to, or decrease any amount  
in a bill? No? Then I move this Coun-  
cil of State adjourn sine die."

Cooper: "If the Constitution  
I raise a point of order."

President Dole: "I think, gentlemen,  
this is a rash motion. It is moved and  
seconded that this Council adjourn sine  
die. I will ask for the ayes and noes.  
The motion (counting) is lost."

Kennedy: "Is this Council meeting  
now strictly upon the provisions of the  
Hawaiian Constitution, or have the  
words of President McKinley anything  
to do with it?"

Cooper: "I think the machinery of  
the Council of State has been greatly  
enlarged. The Council does not meet  
here of its own accord, but at the call  
of the Executive Council. Are we right  
in submitting the amounts to you or  
are we wrong? I don't think you are  
sitting here with legislative power be-  
yond appropriations. Any recom-  
mendations which the Council desires  
to make to the Executive Council will  
be received courteously and receive the  
attention and weight it deserves; but to  
introduce absolutely new items not  
having the sanction of the Executive, I  
don't think you have that power."

President Dole: "My impression is  
somewhat different from the Attorney  
General's. We have not discussed the  
question recently; but the precedent  
mentioned the very day when the re-  
quest for \$10,000 was increased to \$25,  
000, is in line with the conclusion ar-  
rived at a year or two ago when a ques-  
tion came up, Whether the Council had  
the right to recommend to the Execu-  
tive Council. There was considerable  
discussion upon it and the conclusion  
was that the Council could recommend  
a proposition, but could not introduce  
any proposition."

Robertson: "It seems to me the only  
way for the Council of State to settle  
the matter is for it to adopt a sense of  
the Council as a whole, thus: I move  
that: 'It is the sense of the Council of  
State that we have the right to amend  
any of the appropriation bills we have  
in hand, either by increasing or de-  
creasing, or by striking out or adding  
new items.'"

Gear felt that if the Council was to  
consider these items it should also have  
the right to alter them, either by in-  
creasing or decreasing the amounts.  
He did not consider they could act in-  
telligently on any bills unless the Coun-  
cil had the power to do so.

Kaulukou questioned the considera-  
tion of Mr. Robertson's motion before  
disposing of the petition; a motion to  
refer it to the Executive having already  
been before the Council. Mr. Robert-  
son contended the last motion took  
precedence over the first one.

President Dole ruled Mr. Robertson's  
motion out of order. The motion to  
refer the bills to the Judiciary Com-  
mittee was then voted upon and carried.

Pres. Dole: "As to Mr. Robertson's  
motion now, I have doubts whether  
that is in order; it is a constitutional  
matter. I would like to hear some dis-  
cussion upon it. The Constitution of  
Hawaii provides a Council of State, to  
have a very limited jurisdiction. It is  
a Council which attends to business  
under invitation of the Executive  
Council; and to enlarge its prerogative  
of its own motion, I don't see how it  
can be done. President McKinley  
probably has the power. The Execu-  
tive has no veto. The important busi-  
ness of the Executive Council is to  
initiate business before this Council. If  
the Council of State can introduce new  
items it seems to me it is an enlarge-  
ment of its prerogative so far as the  
Constitution goes. President McKin-  
ley expects the Council to attend to  
emergency appropriations. Whether  
that vague expression for making nec-  
essary appropriations under different  
conditions from the limited work we  
have done heretofore, whether these  
circumstances combine to enlarge the  
status of the Council, I should like to  
hear something of it."

Cooper: "If the Council of State  
can introduce new items I don't see  
why we cannot introduce new items for  
all the losses sustained by the China-  
town fire, and the Executive would  
have no veto power over any act of the  
Council of State."

Ilsenberg: "Then who is responsible  
for the additional \$15,000 which was  
spent by the Board of Health appropri-  
ated over and above the \$10,000 origi-  
nally asked for by the Health Board?"  
No answer.

Kane expressed himself in favor of

(Continued on Page 4.)

## TIMELY MOVE

Hospital for Incurables  
Established.

Generous Donation of a Thousand  
Dollars by Hon. S. M.  
Damon.

Bishop Willis informed the  
Advertiser last evening that  
Hon. S. M. Damon had subscrib-  
ed \$1,000 to the new hospital for  
incurables on the condition that  
it be named The Victoria Hos-  
pital. Naturally, His Lordship  
the Bishop was greatly pleased  
with both the gift and the con-  
dition, and will at once bring  
the matter before his fellow  
directors.

The need of a hospital for consump-  
tives, incurables and others, who can-  
not be admitted into the Queen's Hos-  
pital, has long been acknowledged.  
Such a hospital has now been running  
for three weeks under the direction  
of the Board of Health, and all that is re-  
quired is the sympathy and support of  
the public for it to become a perma-  
nent institution. Its history is this:  
When the period of detention in the  
several detention camps was ended, it  
became necessary for the Board of  
Health to have one hospital for per-  
sons falling sick in the relief camps or  
elsewhere.

For this purpose the two-story  
building within the Kerosene ware-  
house compound, formerly the resi-  
dence of the Franciscan Sisters, when  
they had charge of the branch leper  
hospital and Kapiolani Home on this  
site, was utilized by the Board of  
Health. The first patient was Kane,  
who was found in Palama, dying of  
consumption, in a pitiable condition.

Under the superintendence of Dr.  
Bowman this building is now fully  
equipped as a hospital. There have  
been as many as twenty-five patients  
at one time during the last three  
weeks. On the 18th inst. there were  
seventeen inmates—cases of typhoid,  
pneumonia, consumption and beriberi.  
Under pressure of a call for some re-  
duction of the present extraordinary  
expenses, it seemed necessary to the  
Board of Health that this hospital  
should be closed and the sick people  
removed to the Kailhi detention camp.

Had this been done, a great oppor-  
tunity would have been lost. Applica-  
tion was therefore made to the Board  
of Health for leave to carry on the  
hospital by public subscription, the  
Board granting the use of the building  
with its equipment. This was readily  
given by the Board, and so an oppor-  
tunity is now offered for supplying, in  
a humble way, one of the greatest  
needs of the city without incurring the  
expenditure that would be required if a  
site had to be purchased and buildings  
erected.

Being already in running order, the  
hospital can be carried on at a very  
moderate cost. Mrs. Willis, who has  
given her ministrations here from the  
first, is willing to continue her ser-  
vices in the work and administration  
of the institution for the present. Al-  
though it is necessary for the present  
to admit cases of all kinds which are  
refused elsewhere, so long as the fear  
of plague continues, the object which  
the promoters of this appeal have in  
view is to provide a hospital for con-  
sumptives and incurables.

To carry this object into effect, the  
undersigned propose an organization  
consisting of a president, secretary,  
treasurer and two directors, who, with  
the three officers named, shall consti-  
tute the permanent directors; that the  
directors should appoint a board of  
three managers, whose duties it should  
be to carry on the hospital, providing  
the necessary medical assistance,  
nurses and other employees, food and  
medicines, and to administer the funds  
voted by the directors.

The undersigned propose the follow-  
ing names for directors: President,  
Bishop Willis; secretary, A. L. C. At-  
kinson; treasurer, S. E. Damon; Presi-  
dent Dole, Rev. Father Valentine.

Being already responsible for the  
running expenses, the undersigned ask  
for contributions, to be paid to the  
treasurer or to the account of the  
"Kerosene Hospital Fund," at Bishop's  
bank. At the end of a month the cost  
of the institution will be ascertained  
and the accounts will be published.

SANFORD B. DOLE.  
ALFRED WILLIS.  
A. L. C. ATKINSON.  
GEORGE R. CARTER.  
ALATAU T. ATKINSON.  
Honolulu, March 21, 1900.

San Francisco's "Plague."

SAN FRANCISCO, March 15.—But  
one death attributed to plague has oc-  
curred in Chinatown and the quaran-  
tine has been raised. The press charges  
that the Board of Health acted for po-  
litical reasons. The death of Guinea  
pigs which were inoculated with cul-  
tures from the dead Chinese has revived  
interest in the plague story and  
house-to-house inspections in China-  
town are now proceeding.

Prof Lyons reports the following  
rainfall during the past few days:  
Sunday, .60; Monday, .01; Tuesday,  
.05; Wednesday, .24; the total amount-  
ing to .90 of an inch. Three inches are  
recorded for Manoa valley for the  
same period.

# FOLLOWING THE FLAG

## War Scenes in the Far Philippines.

### LANDING AT SAN FABIAN

A Stirring Account of General Wheaton's Expedition to the Lingayen Gulf Country.

The following account of General Wheaton's expedition to the Lingayen Gulf is from William Dinwiddie's special correspondence of Harper's Weekly. One of the striking photographs used to illustrate the text is reproduced herewith by the advertiser's half-tone processes.

Aguinado hastened the footsteps of his retreating army until they were on the dead run, when General Wheaton landed 2,000 men at the strategic point on Lingayen Gulf known as San Fabian. The ex-President and now declared Dictator was in imminent danger of being cut off entirely, by Lawton and Young on one side and Wheaton on the other, from the great tobacco valley of the north where he hoped to keep up the game of hide-and-go-seek indefinitely.

Wheaton's landing was superb. It is difficult to imagine a combination in cruel war where the purely technical military elements were carried out with greater precision and decisiveness and yet with a picturesqueness which appealed strongly to the senses of the onlooker. The military man would have declared unhesitatingly that the movement exhibited what can be done by Americans in the "science of war," but the less-schooled correspondent, with aesthetic ideas of his own and a camera, would have quite as positively insisted that it was an example of the "art of war," and high art at that.

It was not until November 6 that Wheaton sailed out of Manila harbor, though he had been withdrawn from the north line at Angeles fully a month before with the understanding that he would take command of such an expedition in a few days. While the delay was long enough to allow the news to sift through the army that some move on Dagupan was contemplated, it was rather a success as a secret movement—compare with many of the previous advances, shrouded in mystery, only at the Palace, but known in detail to every officer in the line and half of the enlisted men. In this case not an official order was sent General Wheaton, not a telegraphic order relating to the expedition was put on the wire, and in fact the General himself was not informed positively of the date of sailing until forty-eight hours before the transports, crowded with soldiers, left the bay.

In anticipation of the event, General Wheaton, however, had carefully selected his staff, and Captain Day, his chief quartermaster, and his commissary, Lieutenant Bashe of Cuban fame, had worked out on paper all possible contingencies and knew where they could lay their hands instantly on transportation, ordnance supplies, and subsistence, so that, when the time came, they executed the remarkable performance of fitting out an expedition by water down to the last detail, loaded everything aboard transports, had tugs, lighters, and cascos for disembarking, and were moving toward their destination within two days of the time of notification.

The morning papers of November 5 advertised the clearance of the transport Sheridan for Nagasaki, Japan, and the smaller steamer Francisco Reyes for Ilo Ilo and Cebu. To mystify the native spies who lurk among the native laborers at the Quartermaster's Department, every box and parcel for the Sheridan was marked for some place in America, and those for the Reyes bore legends of Ilo Ilo and Cebu. So completely fooled and irritated thereby were the Spanish crew on this latter boat, that they refused to work for a few minutes after they learned where we were going, and had to be urged to their duties gently by the American soldiers.

The expedition consisted of the Thirty-third Infantry, which had just arrived from the United States, under Colonel Hare, and the Thirteenth Regular Infantry, which fought at Santiago and lost one-fourth of its men in the brilliant charge of San Juan, under Colonel Bisbee. Two field guns and two Gatlings were all the artillery which could be spared at the start, but General Otis had promised to send up some soon-expected dynamite guns. There were 750,000 rounds of Krag ammunition in boxes on board, and 200,000 rounds in the belts of the men; the Gatlings had to their credit 200,000 rounds of forty-five caliber, and there was ample shell and shrapnel for the field guns. A hundred thousand field rations for the soldiers, and 10,000 coo-hie rations for 200 Chinese, represented the food supply. The hospital corps went furnished with supplies for a field hospital of fifty beds, but they were short of first-aid bandages, except those each man is supposed to carry.

By the time breakfast was over, on the morning of November 7, twenty-six hours after starting, the expedition was rounding the southern headland of the wide-mouthed Gulf of Lingayen, 160 miles north of Manila. The navy vessels Helena and Manila had passed off two days before to communicate with the Charleston, Bennington, and Princeton, and the little Samar and Callao, all of which were doing patrol duty along the coast and in the gulf. It was not until 2 in the afternoon that the outlines of our ships came into view from the south. Every officer crowded forward on the lower deck and eagerly watched the ships and shore grow in size. General Wheaton stood on the bridge, nervously tapping

his foot, and speculating as to how prompt the navy would be in its movements, and the possibility of landing before sunset.

He need not have speculated regarding the promptitude of the naval action, for the Callao came tearing toward the Sheridan as soon as she was sighted, bearing Captain Knox of the Princeton and Captain Moore of the Helena, who immediately came aboard. As the transport flotilla slowly forged through the water toward the coast the naval men and the general were arranging the plans for landing. Let it be said to the credit of General Wheaton that he did the unusual thing, for a military man, of putting himself entirely in the hands of the navy, with the remark, "My only desire is to have my troops landed expeditiously on the beach at San Fabian."

At half past two the naval captain was steering toward their war vessels, at three-thirty the transports had sailed five miles and dropped anchor within twenty-five hundred yards of the beach and directly behind the war ships, which were moving into position in a long line, ready to begin the bombardment.

From the shore came the spitting fire of ragged volleys of Mausers pluckily fired by the insurgents at the smaller gunboats, while from the center of the largest earth-work of banked sand came a single shell from a small brass cannon (in return for the terrific hail of exploding shrapnel), which hurtled harmlessly through the rigging of the Princeton.

Perhaps the most hysterically funny occurrence which ever became a part of an episode of war, where shrilly shrieking shells carried death and blood in their flying trails, took place in the next few minutes. It was General Wheaton's intention to lead the landing party in person, but he made the fatal mistake, just before four-thirty, of getting into a gig pulled only by sailors' brawny arms. Half a battalion of the Thirteenth Infantry and the same number of the Thirty-third were sparring nervously for advantage in position before the final race for shore began. The steam-launches which towed the Thirteenth kept edging toward the left, until they were out from the cover of the fleet; and the Thirty-third, fearful that they might be left, kept crowding after them. General Wheaton, standing tall, stern-visaged, and warlike in the bow of his own boat, was pulled toward the wavering, bobbing lines of soldier-boats, but before he could give an order the overzealous Thirteenth was off, followed by the Thirty-third, madly trying to make up the intervening space. General Wheaton yelled and swore and waved his arms in a hopeless attempt to stop the speeding launches. He implored the crew of his own boat to "pull," with finely seasoned American invectives; he snatched the signal-flag from the bottom of the boat and waved it fiercely aloft in his long arms; but the Thirteenth and the Thirty-third were racing for the glory of landing first on the

the heavier discharges and the whirling tick-tack of the Colt's automatic played the high notes in the martial music. Viewed from the war-ships, the landing forces were puppets on a stage, who for on their faces, rose again, charged an unseen enemy, waved their arms as a sign of victory, and all the time a setting of rolling sand dunes, with a background of sort green palm trees and odd grass houses, and with a foreground of blue ocean lazily tapping the yellow shore with frothy-tipped white-caps.

The navy gave a prize exhibition of what it can do in landing troops where the details are left entirely in its hands. It took less than three hours it had put over 2,000 men ashore; and it should be remembered that not a large man-of-war was present. The work was done with four small launches, towing six whiteboats each, and a tug with a single big casco which would carry a hundred men.

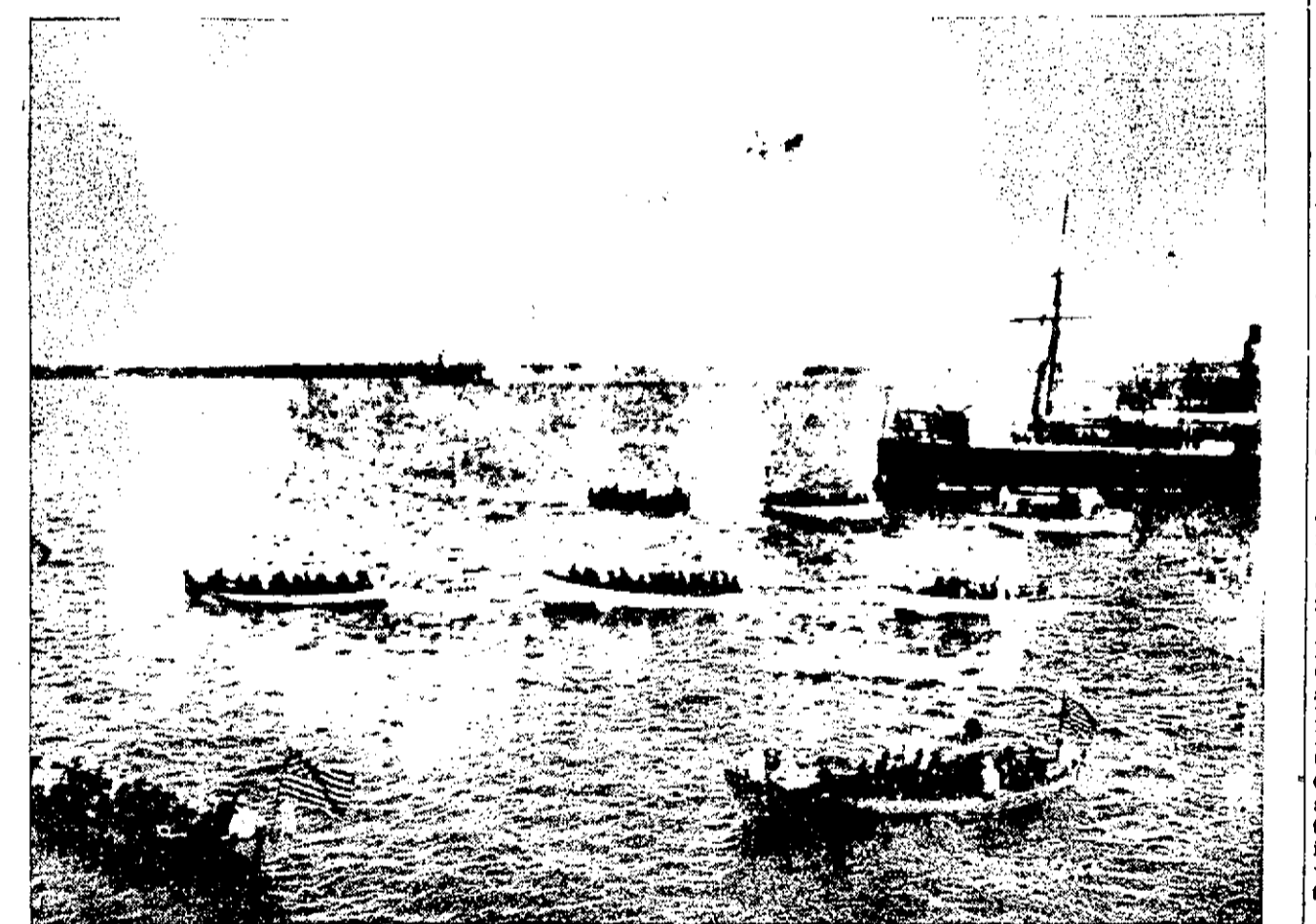
The receiving party of insurgents who welcomed us to San Fabian, by firing their guns in the air, did not number more than a hundred men, though the official records name them as many more. By their undignified display of nervousness, only two of our soldiers were able to secure the fabled souvenirs, distasteful to some, but much prized by others when they leave a proper earmark in a soft muscle.

The troops were not invited into the town of San Fabian, a mile below, and as General Wheaton had no intention of sleeping on damp sand, though the dusk of evening was drawing its veil over the landscape, he took prompt measures for disciplining our reluctant hosts. From beyond the waters of a deep lagoon, traversed by a frail awaying bamboo hand-bridge, the insurgents were keeping up the song of the bullets. It was an ugly place to cross, and looked as if it meant certain death to every man attempting it. General Wheaton stood exposed upon a hummock, with the sand shifting under his feet, for several minutes, carefully noting the direction of the fire. He suddenly turned and exclaimed, "I want officers who will volunteer to carry men across that bridge and drive those niggers from their trenches." Several officers sprang forward; but young Captain Howland, his aide, was nearest at hand, and got the commission. Over the swinging, bending structure he ran, followed by twenty men, so fiercely yelling that it almost drowned the fusillade of high-shot bullets. The insurgents broke and ran. American nerve and daring are always more than they can stand. It takes an iron nerve to perform feats of this kind; and yet the army is filled with just such men as Howland, who, for the very sorry glory to be gained in the Philippine campaigning, will, without a tremor, risk their lives twenty times a day. San Fabian was ours.

Into town our troops marched in the growing dark. From the swamps, fringed round with cocoanut and nipa palm, came the glad cries "Viva

Three reconnaissance parties of a battalion each were sent out during the morning, under Major Buck, of the Thirteenth, toward San Jacinto, went southward, where it was hoped that some of Lawton's troops would be found, but they met no resistance, and found no American soldiers within five miles. Next day, in less than half that distance, a terrific fight took place. Major John A. Logan of the Thirty-third went northward over the coast road toward Rosario for seven miles, but no enemy appeared. It was Major Marsh of the Thirty-third who developed the enemy on the road going to Dagupan, westward. The action was short, sharp and decisive, and the insurgents fled from heavy earthworks beyond a broken bridge, leaving several dead and wounded with guns in the trenches. Our casualties were none. The wounded, much to their surprise, were carefully borne back on litters, and their wounds dressed in the great cathedral, which had been temporarily turned into a hospital.

The third day after landing, General Wheaton sent two battalions of the Thirty-third out toward San Jacinto. It was supposed no resistance would be met until near or past that town, and the command, feeling secure, marched rapidly along. Only two and a half miles from San Fabian the front some 600 yards in their advance, blazed with the fire of Mausers, and in the first volley half a dozen men went down. Major Logan's battalion, in the lead, was rapidly deployed and began a careful advance. A soldier falls mortally wounded near Logan's side. He goes to him, bends down, and then a bullet crashes through his own brain, and he sinks slowly over the prostrate form, dead. A hospital corps man rushes in and attempts to carry the body of brave Logan from the field, and after a few steps he too stumbles and falls with his burden, his heroic life-blood mingling with that of his senior. Insurgent sharpshooters were doing their best work of the war, and man after man was going down under a deliberate fire such as we have not seen in the Philippines before. "Lie down! Lie down!" some officer yells, and the men hug the ground. One ex-Rough-Rider of Cuba, with this new regiment, remarks to his neighbor, with his cheek in the mud: "Say, Bill, didn't you make a bluff about these niggers not shootin' straight?" "Charge!" and the regiment of cowboys, plainmen, and Cuban fighters rise to their feet with a demoniacal yell, and tear over the wet and slippery ground toward the enemy, who let out a crackling fire, rapidly weakening in volume, and then ceasing entirely. The wicked, blood-thirsty roar from the American throats is too much even for picked insurgents, and they flee over the rice-fields and down the road. A handful of plucky insurgents keep up the running fight until near San Jacinto. Night is coming on, and we withdraw with our dead and wounded.



WHEATON'S EXPEDITION TO LINGAYEN GULF.

beach, and probably never saw the general again after the thrilling race began. General Wheaton's boat was still a speck on the water when K Company of the Thirteenth proudly and with thumping hearts splashed through the knee-deep water and ran staggering on to the sandy shore, peppered by a whistling fire from the enemy in the nearby trenches. The general laughingly said, the next day, that anybody who came within the range of his voice must have thought him crazy, and he modestly admitted that he recognized the possible strength of the English language, and believed that he had reached the top notch of expletives on this occasion.

The landing was magnificent. Four hundred men huddled closely in the snaky line of boats, returning as best they could from the water the enemy's fire, which punctured the launches and even made holes in the small boats, without touching a man. They rushed almost simultaneously on to the yellow sands of the shore, deployed as they ran, and gave back the enemy's bullets in double, blinding volleys from behind the protecting lee of the nearest row of sand dunes. The Samar and Callao shelled the landing-place ahead of the small boats, and the navy ensigns in charge of the tows, who, individually and collectively, believe they can crush an entire insurgent army from a new boat, kept pounding away with their unprotected 1-pounders in the bows of their launches.

The noise, the action, the color, were superb as a picture of war. The great guns of the navy roared, throwing columns of sand high in the air with each shell, the staccato beat of the Hotchkiss cannon kept in rhythm with

Americanos!" and wading toward us, waist-deep in the black and muddy waters, came a score of creatures—human beings bespattered from head to foot with slimy ooze, and with water trickling from their clothing at every step. They rushed upon General Wheaton and tried to kiss his hands. In their ecstasy they threw themselves bodily upon protesting soldiers and hugged them tight around the neck, until the Americans were equally disguised with muck and mire. They were escaped Spanish prisoners, who had lain for hours in the marshes, under the terrific shell-fire of the navy, with only their faces above water.

It was impossible that night to determine the size of San Fabian, where the main roads ran, or the probability of an attack. In the dark, outposts were thrown out around the church, and all the roads which seemed to be main ones were doubly posted. All was quiet during the night, and the troops slept heavily in their clothes upon the dew-laden grass of the puzos, with one hand upon their loaded rifles. Now and then some nervous outpost would fling upon the martial ghosts which haunt every rookie's brain, but the tired sleepers slumbered on.

At dawn reveille rang muffled through the moist warm air, and 2,000 men grumbled for their breakfasts, while detachments marched to the shore for subsistence supplies, which Quartermaster Day was a busy landing through the surf of a shallow beach, on the backs of cooes, from anchored cascos. Tired of waiting, the men began hustling for their own breakfasts; the squeals of clean, lank hogs rose above the cack of wild, flying chickens, and the astonished quacks of downy ducks.

It was a sad, sad business losing Logan, who had endeared himself to the hearts of officers and men alike by his personal bravery and desire to carry his battalion into the thick of battle. Poor chap! his first engagement was his last, but he died leading his men, and his last act in life was an attempt to minister to a wounded comrade.

Aguinado was retreating with his weakened army on the main road which led through San Jacinto to the north, and to prevent their being cut off, some 400 picked sharpshooters from the insurgent ranks had been selected to hold Wheaton back while they passed. They succeeded admirably, and all that night long bugle calls of the insurgents could be heard to the southward in the quiet air. It was believed that San Fabian might be surrounded and the 2,000 men holding the town concentrated for the onslaught. It never came, as Aguinado, pressed by Lawton and Young on his right, was making the historic retreat of his campaign. San Nicolas was cut off on the east. Wheaton held the coast road; the insurgents fled, doubling on their tracks. A small party tried to go through the Pozorubio mountain pass north of San Nicolas; they succeeded by leaving all supplies behind, and a few miles out they buried Aguinado's treasure of \$75,000 near the trail. A native driver disclosed the hiding-place to the Americans, and since he has constantly begged to be sent to the United States, as he is fearful that death will overtake him through some assassin's hand for his treachery. The rest of the scattering insurgents began the fearful race through the small gap left and up the coast of Lingayen Gulf.

WM. DINWIDDIE.

### The Future of Children

A child's life may be blighted by the diseases of youth, such as Rickets, which is characterized by weak bones or crooked spine, and inability to stand or walk steadily, or Marasmus, that wasting disease characterized by paleness and emaciation, or Scrofula, a constitutional disease of the glands and neck.

### Scott's Emulsion

of pure Cod-Liver Oil with Hypophosphites of Lime and Soda will prevent and cure these diseases. It supplies just the material needed to form strong bones, rich red blood and solid flesh. It will also reach the infant through the mother's milk, and be of the greatest benefit to both.

At all druggists; 50c. and \$1.00  
SCOTT & BOWNE, Chemists, New York.

### IN THE COURTS

#### Settlement of Carter Against Crehore.

Bonds Filed by Plaintiffs in Beretania  
Street Widening Case—Various  
Papers Filed.

A decree has been issued in the Circuit Court by Acting Judge Reuben D. Silliman, in the case of J. O. Carter and others against F. I. Crehore and others. The case was remanded by the Supreme Court to the Circuit Court with directions to enter a decree in accordance with the Supreme Court opinion of February 27, 1900, to the effect that so much of the 583 new shares of the stock of C. Brewer & Company, Limited, as was of the value of \$58,300, immediately after its issue, on December 31, 1898, should be given to the life tenants under the will of H. A. P. Carter; namely, Sybil A. Carter, Frances I. Crehore, George R. Carter, Agnes C. Galt and Cordelia J. Carter; and that the trustees under the will be directed to hold the remainder of the 583 shares as part of the corpus of the trust; and it appearing that immediately after the issuance of the stock dividend \$58,300, the par value of said 583 new shares represented 174 2-67 shares of the capital stock of C. Brewer & Co., Ltd. The decree orders the carrying out of the Supreme Court's opinion. The costs of the suit are to be borne equally by all parties. A fee of \$500 is allowed to Thurston & Carter, and the same sum to Robertson & Wilder, attorneys in the case.

An agreement has been filed between both parties to the suit that "on December 31, 1898, immediately after the issuance of the new shares by C. Brewer & Co., Ltd., one share of the capital stock of said firm was worth \$335."

Bonds in \$1,000 each have been filed by plaintiffs in the cases of Bruce Cartwright, trustee, Maud F. Ponger and Edith Morton, J. A. Cummins and Lilluokalani against the Minister of the Interior, the sureties being E. B. McClanahan in the first case and J. O. Carter in the others. The bonds are on appeals from injunctions restraining the Minister of the Interior from entering on the lands of the plaintiffs, which were taken in the widening of Beretania street.

T. W. Hobron, one of the defendants in the case of C. I. Helm against F. B. McStocker and T. W. Hobron, has filed an exception to the order overruling his demurrer. Judge Perry allowed the exception.

J. M. McChesney, assignee of E. Poppleton, acknowledges the receipt of \$100 in full settlement of all claims involved in the suit of J. M. McChesney against J. H. Fisher, pending in the Supreme Court. Costs are to be paid by Fisher, J. A. Magoon, attorney for the plaintiff, was informed of the settlement of the suit in the Supreme Court yesterday.

He was filled up with eloquence and loaded down with legal papers but all in vain for Fisher concluded to save further expensive litigation.

Judge Perry ordered a hearing for March 23, at 10 o'clock, in the matter of the estate of James Dodd, deceased. Robert W. Cathcart and Rebecca A. Dodd, executor and executrix of the will, are to show cause why the property should not be awarded to the claimant, Margaret N. Dodd. She claims personal property valued at \$1,431.25.

Sarah Al Swinton has been divorced from Henry Swinton by Judge Perry. The grounds for the suit were extreme cruelty and neglect. The custody and education of the children was awarded to the mother but Swinton may visit them every Sunday.

#### CHRONIC DIARRHOEA CURED.

My mother suffered with chronic diarrhoea for several months. She was attended by two physicians who at last pronounced her case hopeless. She procured one 25-cent bottle of Chamberlain's Colic, Cholera and Diarrhoea Remedy, and five doses gave her permanent relief. I take pleasure in recommending it as the best on the market.—Mrs. F. E. Watson, Alken, Ala. Sold by all druggists and dealers; Benson, Smith & Co., Ltd., agents for H. I.

### A Good Investment

FOR ALL

## Blown Tumblers

PLAIN AND ENGRAVED.

Your choice in quantities to suit you.

# 50 cts Per Dozen.

This is an opportunity for you to stock up on a necessary article. The regular prices of these tumblers are from 75 cents to 90 cents per dozen. See them piled up in our Ewa window.

## W. W. DIMOND & CO., LIMITED

IMPORTERS OF  
Crockery, Glass, Lamps, House  
Furnishing Goods.

"FOR THE BLOOD IS THE LIFE."

## Clarke's Blood Mixture

THE WORLD-FAMED BLOOD PURIFIER  
AND RESTORER.

IS WARRANTED TO CLEAR THE BLOOD from all impurities from whatever cause arising. For Scrofula, Scurvy, Eczema, Skin and Blood Diseases, Blackheads, Pimples, and Sores of all kinds, it is a never-failing and permanent cure.

- Cures Old Sores.
- Cures Swellings of the Neck.
- Cures Sore Legs.
- Cures Backhead or Pimples on the Face.
- Cures Scourvy.
- Cures Ulcers.
- Cures Blood and Skin Diseases.
- Cures Glandular Swellings.
- Clears the Blood from all Impure Matter.

From whatever cause arising, it is a real specific for Gout and Rheumatism, pains it removes the cause from the Blood and Bones. As this Mixture is prepared by the latest and warranted free from anything injurious to the most delicate constitution of either sex, the Proprietors solicit sufferers to give it a trial to test its value.

THOUSANDS OF TESTIMONIALS OF WONDERFUL CURES

FROM ALL PARTS OF THE WORLD.

Clarke's Blood Mixture is sold in bottles 25c. each, and in cases containing six times the quantity, 11c.—sufficient to effect a permanent cure in the great majority of long-standing cases.—BY ALL CHEMISTS AND PATENT MEDICINE VENDORS throughout the world. Proprietors, THE LINCOLN AND MIDLAND COUNTIES DRUG COMPANY, LINCOLN, ENGLAND. Trade Mark—"BLOOD MIXTURE."

### CLARKE'S BLOOD MIXTURE.

CAUTION.—Purchasers of Clarke's Blood Mixture should see that they get the genuine article. Worthless imitations and substitutes are sometimes passed off by unprincipled vendors. The words "Lincoln and Midland Counties Drug Company, Lincoln, England," are engraved on the Government Stamp, and "Clarke's World-famed Blood Mixture" blown in the bottle WITHOUT WHICH NONE ARE GENUINE.

### Castle & Cooke, Ltd.

HONOLULU.

### Commission Merchants.

SUGAR FACTORS.

—AGENTS FOR—

- The Ewa Plantation Co.
- The Wailua Agricultural Co., Ltd.
- The Kohala Sugar Co.
- The Waimea Sugar Mill Co.
- The Koloa Agricultural Co.
- The Fulton Iron Works, St. Louis, Mo.
- The Standard Oil Co.
- The George F. Blake Steam Pump Co.
- Weston's Centrifugals.
- The New England Mutual Life Insurance Co. of Boston.
- The Aetna Fire Insurance Co. of Hartford, Conn.
- The Alliance Assurance Co. of London.



## HAWAIIAN GAZETTE.

SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS

WALTER G. SMITH—EDITOR.

FRIDAY, MARCH 23, 1900.

## INDIGENT INCURABLES.

The Advertiser felt sure that when the truth was put before the public about the coming lack of shelter and food for indigent poor who have incurable diseases, humane people would hasten to the rescue. This they have done with Bishop and Mrs. Willis, of the Anglican Church, leading the way. The incurables, most of whom are consumptives, are now in no danger of being turned out to die in the streets. They will be cared for at the kerosene warehouse camp beyond the time limit formerly set, the expense being borne by private subscription and by means of certain gift or trust funds in the hands of the Board of Health. For the future it may be regarded as certain that permanent relief will be afforded, either by subscription, by the endowment of a hospital—which would be the best of monuments for some of our philanthropic rich men—or by Government appropriation akin to that which provides for the lepers.

With regard to the suggestion made elsewhere in these columns by a gentleman who has given time and means to the relief of indigent consumptives, that no more of this class of dependents be permitted to land in Hawaii, we commend it to the thoughtful consideration of the Board of Health. From a legal standpoint, much may be said on both sides of the proposition. At the same time it is an obvious hardship and—considering the contagious nature of tuberculosis—a public danger to permit Hawaii to become a dumping-ground of moribund consumptives. Many of these now subsisting on charity came here with no chance of living and only a few dollars in their pockets. Should more like them be admitted or should all be turned back? It is a question about which the Advertiser would be glad to hear from the public and the authorities.

The Democrats, thanks to McKinley's prosperity, will have a larger fund than ever before to back their candidates with next summer.

When the Attorney General expressed himself as confident of the legality of the Supreme Court and then declined to defend the court against an affirmation to the contrary, the visible area of astonishment not only included the bench and bar, but a good portion of the laity.

If the Territorial bill passes in time we trust that the Hawaiian representatives at Washington will ask the Appropriation Committee to agree upon the item of a new postoffice for Honolulu. The present office is outgrown and, in view of the pending transfer of the postal service to the United States, it would be poor business policy for the Hawaiian Government to build another. The cost should be Federal rather than local.

Minister Damon's \$1000 subscription to the Hospital for Incurables fund, is coupled with the proviso that the new charity shall be called The Victoria Hospital. The suggestion carries its own compliment to the Anglican Bishop who, with the aid of Mrs. Willis, has done so much towards finding the indigent sick a home. We presume the colleagues of the Bishop on the board of hospital directors will cheerfully join him in accepting Mr. Damon's offer with the conditions named and that The Victoria Hospital will soon materialize.

The passage of the Porto Rico bill, as judged by our Republican exchanges, seems to have been due to the fear that if Porto Rico were admitted on a free trade basis the Philippines would have to be and that such an outcome would arouse laboring men against the Republican party. It was the imminence of the Presidential contest and not a construction of the organic law which compelled the affirmative vote. Doubtless many Republicans found the tariff opposed to their convictions, but were ready to put it through for a political advantage or to escape harm to the party, leaving the Supreme Court to act upon the issue of constitutionality.

If it is true that a two year's appropriation bill passed now by the Council of State of the Republic of Hawaii would blind the Government of the American Territory of Hawaii, then by all means change the time limit to that of the legal existence of the republic itself. We should visit the Territory with no legacies of embarrassment. But this journal has it on pretty good authority that the moment the Territory is organized and its Legislature enters upon its duties, the old appropriations will lapse and the unexpended balances be covered back into the treasury. If this is the case the biennial clause in the appropriation bill can make very little difference. If we continue as we are it will be needed; if we do not it won't count.

There is an improvement in many lines of business which indicates the faith of merchants and investors in the early disappearance of the plague.

Arthur Sewall, after his interview with Bryan, modified his views about expansion, though he still stands by Hawaii and may be trusted to do so until after he sees how the gubernatorial cat will jump. What caused the change can only be surmised, though the probable fact is that Mr. Bryan started the Vice Presidential race by buzzing again.

A correspondent who prefers to name the coming hospital after Hawaii's good Queen Kaahumanu, suggests that the christening privilege be left to the philanthropist who will give the most money to the building fund. Mr. Damon, who wants to call the institution The Victoria Hospital, is now ahead with the pledge of \$1,000. We presume that if somebody will give more, say \$5,000 or \$10,000, no one concerned in the hospital enterprise will object to any suitable name, least of all to that of Kaahumanu. The designation counts for little; the main thing is prompt relief for the needy incurables.

President Dole has issued a proclamation prohibiting the importation of certain Asiatic merchandise coming from infected centers. This is a useful precaution, generally provided for under the rule that this act interim Government may act independently of Washington for the protection of the public health. It would be absurd to let the pestilence in while waiting permission from far-away Washington to keep further consignments out. President McKinley fully recognized this fact in his rulings about the emergency powers of the Council of State, and will be not at all likely to object to the course Mr. Dole has taken.

The Legislature of Kentucky has offered a reward of \$100,000 for the arrest and conviction of the murderer of Senator Goebel. This is \$95,000 more than the Federal Government offered for the apprehension of the man who killed Abraham Lincoln. Decent public sentiment in Kentucky is protesting against the offer because of the temptation it affords to unscrupulous people to swear away the life of some innocent man. Nothing would be easier than for two scoundrels to make \$50,000 apiece by putting up a case against a personal or political enemy. It would not surprise us to hear that some representative Republican of Kentucky had been arrested for the bloody deed.

## BOARD OF EDUCATION.

## Vacation Question—Island Teachers.

Schools to Open.

The Board of Education met yesterday afternoon. There were present President Mott-Smith, Inspector General Townsend, Normal Instructor Gibson, Prof. Alexander, H. M. Von Holt, Mrs. Jordan, Mrs. Hall and Secretary C. T. Rodgers. The minutes of the previous meeting were read, corrected and approved.

President Mott-Smith presented two petitions from North and South Kona, Hawaii, numerous signed, asking that the midsummer holiday be changed to September and October to allow the school children to pick coffee, for which they could receive about 75 cents a day during the present vacation months. In connection therewith a strong letter was read from J. C. Lenhart supporting the petitions and giving the reasons in detail therefor.

After considerable discussion, mostly favorable to the proposed change, the following resolution drafted by President Mott-Smith was passed: Resolved, The Board of Public Instruction recognize the educational value, as encouraging habits of thrift and industry, of the employment of children during the long vacations in light agricultural work; and that the department will receive and consider the different agricultural districts for so arranging the long vacations, as to afford the best opportunity for employing the children of such districts.

It was further moved by Mrs. Hall and carried that the petitions from North and South Kona be granted, and that the proper dates for closing and opening the schools there be inquired into and hereafter announced. The matter of re-arrangement of the vacations for these schools and districts was referred to the Inspector for report.

The question of Easter vacations was discussed and it was decided that all schools which have been closed not less than four weeks, for sanitary reasons, shall have no Easter vacation, with the exception of Good Friday. For Easter the schools will close on Friday, April 6th, and reopen on Monday, April 16th.

It was decided to open the following schools on next Monday: Moiliili, Heretania street, Kakaako, Kawaiahoe, Pohukaina, Royal, Training department of Normal School, Emma street, Kaulauea and Kalauea.

Several applications for positions as teachers were referred to Committee on Teachers and others for transfers and increase of salaries were placed on file.

It was also voted that the secretary notify out-of-town teachers who have been detained in Honolulu that unless they take immediate steps to comply with the requirements of the Board of Health, so that they can return to their work they will be required to pay their substitutes after the end of this month, and in case they have no substitutes their pay will cease at that date.

Dr. Jobe inoculated twenty-four men with the plague prophylactic inside of eighteen minutes yesterday. "Dr." Charlock assisted by making the serum ready and loading the hypodermic syringe.

## COUNCIL OF STATE.

(Continued from page 1.)

The motion. The President had authorized the first act passed by the Council. The committees were getting to work on their reports, yet they had no discretionary power either to increase or decrease bills. Mr. Gear stated that he felt the Council could not legislate upon itself the power to use discretionary powers, but he considered the Council already had this power.

Damon: "This is a matter for general discussion. The right for this Council is embodied in the telegram from Secretary Hay. I think the remarks I made on the introduction of this bill in the Executive Council cover the ground. The Executive Council needs the co-operation and advice of the Council of State to complete the very authority under which we are acting now. To secure the very best results we must have the co-operation of the majority of the Councilors on all of the items introduced; and if they can make suggestions to the Executive Council for new items, it seems to me a wise move for the Executive to accept these. By the telegram from Secretary Hay, I think the Council of State has the right to introduce new items. It was not to the Executive Council the authority was sent; it was to the Council of State. We sink our identity as an Executive Council the moment we come here with the Council of State."

Cooper: "I don't understand why the Minister of Finance takes a different course here than he does in the Executive Council."

Damon: "My words are on record in the minutes."

Young: "I would like to say that I believe it is the prerogative of the Council of State to deal with this bill as they deem best. It has been stated by the Attorney General that it is a question whether they can introduce new items. Mr. Damon told me at the Executive Council meeting that there was not so much money at command and we must cut down our figures for appropriations. I am in favor of the Council putting in what items they choose."

Mott-Smith: "There are two points to be considered; the first is the understanding by which the Executive Council made these appropriations, and second is whether the Council of State has the power to enlarge or decrease the items of the bills. We have received a telegram from Washington which has considerably enlarged the powers of the Council. We have a defective bill here before the Council. In construing this telegram I should say the Council of State has the power to legislate and enlarge or introduce items. I am thoroughly convinced they have this power. I felt under the constitution they had this power, before the President's telegram was received."

Jones: "I should like to make myself clear and entirely understood. I believe we have the right to diminish and enlarge any proposition that we are called upon to consider, and also to insert new items. I don't feel we are called upon to do anything but business except as recommended by the Executive Council. I see by the new bill now pending before the House of Representatives that a general election shall be held on the 1st Tuesday of November after the passage of the bill. It seems to me to be a very important thing for the new Governor, whoever he may be, to call this special election, to provide a legislature to make appropriations. If I got the job I am sure that I would do so. I think I am eligible, as I am 35 years of age and a citizen of Hawaii. I shall vote for Mr. Robertson's motion because I believe it is right."

After further general discussion of the motion and a lengthy argument in its favor by Mr. Robertson, the motion was carried, twelve members voting in favor of it.

Petition from Henry Zerbe, asking relief in the sum of \$726.26 for alleged arrearages in salary at the Custom house, was referred to the Executive.

Report of the Committee on Judiciary and Attorney General was read by Mr. Robertson, and upon motion laid on the table for future action. Report is published elsewhere in this issue.

Damon introduced request of President Wood of the Board of Health for \$250,000 additional for the purposes of suppressing the plague. Statements of the Auditor General and the Finance Committee were attached to the request, showing the expenditures of other similar appropriations of money. The total amounts would foot up to nearly \$300,000. Mr. Damon asked that \$10,000 be at once appropriated by the Council for the payment of Health Department laborers. Carried. Mr. Damon withdrew the bill covering the balance of the appropriation, namely, \$240,000, in order that it be introduced directly through the Executive Council.

Upon motion of Mr. Robertson, the Council adjourned until 3 p. m. today.

## HAWAIIAN BILL.

## The House Will Vote on It April Fifth.

WASHINGTON, March 10.—In the House Mr. Knox of Massachusetts, chairman of the Committee on Territories asked unanimous consent that the bill recently passed by the Senate providing a territorial form of government for Hawaii be taken up on Tuesday, April 2d, debated on that and the two succeeding days, and a final vote on the amendment on Thursday, April 5, at 4 p. m. Mr. Knox said there was urgent need of this legislation and his request was agreed to.

## No More Japs.

TACOMA, Wash., March 7.—The steamship Tacoma brings news that Japan has prohibited emigration to Hawaii for the present. Thousands of Japanese have been leaving Yokohama monthly, being shipped generally by employment bureaus, which exacted a fee from each laborer. It now develops that 4,000 more Japanese have been shipped than the agencies had secured employment for. These laborers are now in distress, and the strict sanitary regulations enforced at Honolulu add to their troubles. Japan is contributing to their support.

## A PENSION NIL

## Ex-Queen's Amendment Tabled.

Would Set a Bad Precedent Which Senators Were Unanimous In Opposing.

WASHINGTON, March 10.—While the Senate had the diplomatic and consular appropriation bill under consideration today, a lively debate was precipitated by an amendment offered by Hoar of Massachusetts, proposing to give former Queen Liliuokalani of Hawaii \$20,000 and an annuity of \$10,000. The amendment was tabled finally without division. The pending bill was passed with a few minor amendments. The remainder of the session was devoted to eulogies of the late M. L. Hayward.

In explanation of the amendment, Hoar said that the former Queen was the proprietor in her own right of much property that had been lost to her by her dethronement. He said that she had been the subject of cruel calumnies which he was assured had not the slightest foundation in fact. He was satisfied her life had been quite spotless.

Tillman of South Carolina insisted that if any obligation existed at all it was one of Hawaii and not of the United States.

Platt of Connecticut did not believe the former Queen had the slightest claim on the United States, and, while he would be willing to join in the making of a donation to her, under the circumstances he would not agree to legislation that recognized her right to any such payments.

Gallinger of New Hampshire denounced the proposed appropriation as utterly unjustifiable.

Lodge of Massachusetts, while admitting that the former Queen had no claim on the United States, said the proposition made was simply an act of grace.

Thurston of Nebraska suggested the donation to the former Queen of a lump sum. He strongly opposed putting her on the pension rolls of the United States.

## Would Set a Bad Precedent.

Cockrell of Missouri, in opposition to the amendment, declared it was a dangerous precedent to establish at this time.

"If we are to pension all the monarchs dethroned from our islands," said he, "we are likely to have our hands full. There will be the Queen of Hawaii, the Queen of the Sulus and the monarchs of many other places. Headed by the Queen of Hawaii with \$10,000, the list will go down to \$8,000 for somebody else, then to \$7,000, and finally wind up with a pension of \$5,000 for widows of Presidents of the United States."

Morgan—Will you include the widow of Aguinaldo? (Laughter.)

Cockrell—Why, of course, we'll have to put her in.

In conclusion Cockrell announced his opposition to the pensioning of any monarch in any circumstances thus far developed.

Tillman contended that the amendment was without equity. He thought if there were any claim at all it should be paid by the people of Hawaii.

McComas of Maryland also opposed the amendment, taking the position that there was no moral or legal obligation to pay the proposed pension. He did not concede that Liliuokalani had been entitled to continue in the office.

On motion of Carter of Montana the amendment was laid on the table. The bill was then passed.

## STATION AT PEARL HARBOR.

## Board of Officers Appointed to Carry Out the Work.

WASHINGTON, March 11.—Orders will be issued by Secretary Long tomorrow to the organizing board, which will make arrangements for the establishment of a naval station at Pearl Harbor, Hawaii. Rear Admiral Bradford, chief of the Bureau of Equipment, has brought to the attention of the department the importance of establishing a station at Pearl Harbor as promptly as possible, and it is in accordance with his recommendation that the board will be appointed.

It will consist of Rear Admiral A. S. Barker, commandant of the Norfolk navy yard, president; Captain Henry C. Taylor, now commander of the Vermont; Commander C. C. Todd, chief Hydrographer, and Civil Engineer H. H. Rousseau, while Lieutenant F. L. Chapin will serve as recorder.

## Julian H. ne's Prosecutor

Harper's Weekly contains a panegyric of James W. Osborne, Assistant District Attorney of New York, who secured the conviction of Molyneux, the alleged poisoner. It was Osborne who sent Hallen, alias Julian D. Hayne to prison. Of this circumstance the Weekly says: "Perhaps one of the best known of the later cases he has successfully prosecuted was that in which he convicted one Hallen, a lawyer, who has long been a successful swindler, and who, in defending his own case, created a considerable sensation by his eloquence and his bitter uncalculated attacks on the prosecuting officer. The case was perhaps the more interesting because, though Hallen had been indicted twelve times before, no conviction had been obtained. It remained for the Molyneux trial to give Mr. Osborne the opportunity for a display of those powers which have placed him in the front rank of criminal lawyers in this country."

Minister and Mrs. Alexander Young will give \$20,000 for the permanent endowment of a home for incurables provided that four other persons will do the same and certain minor conditions are complied with.

## "A Word to the Wise is Sufficient."

But some stubborn people wait until "down sick" before trying to ward off illness or cure it. The wise recognize in the word "Hood's" assurance of health.

For all blood troubles, scrofula, pimples, as well as diseases of the kidneys, liver and bowels, Hood's Sarsaparilla is the effective and faultless cure.

Rheumatism—"I was practically helpless from rheumatism in my shoulder. Hood's Sarsaparilla cured me and ever since is a household favorite." Mrs. M. E. Powers, 1812 St. Lawrence Ave., Chicago, Ill.

**Hood's Sarsaparilla**  
NEVER DISAPPOINTS

Hood's Pills cure liver ills; the non-purging and only cathartic to take with Hood's Sarsaparilla.

## REAL ESTATE TRANSACTIONS.

March 15, 1900. No. 101—Hilo Sugar Co. to Minister of Interior; deed of Nov. 15, 1899; liber 200, folio 490; piece land (6550 square feet) Puuoe, Hilo, Hawaii. Consideration \$100.

March 16, 1900. No. 105—J. A. Magoon, trustee, to Jno. Pulaa; deed of March 10, 1900; liber 203, folio 443; R. P. 672, kuleana 1541 and R. P. 3293, kuleana 1539, Kalihi; piece land Maunakea street, Honolulu; piece land Waimea, Koolauloa, Oahu, or other lands belonging to Pulaa or Kahuha. Consideration \$1.

No. 106—M. L. Sea and husband to M. E. Low; deed of March 15, 1900; liber 201, folio 418; interest in R. P. 4494, kuleana 27 F. L. Kawaii, Honolulu. Consideration \$2,350.

No. 107—J. Repozo and wife to Chang Chan; deed of March 12, 1900; liber 203, folio 445; portion G. 976, Kahuhi, N. Kona, Hawaii. Consideration \$60.

No. 108—J. C. Lenhart to Nihou; deed of Jan. 13, 1900; liber 203, folio 445; R. P. 3032, Kalauea, N. Kona, Hawaii. Consideration \$100.

No. 109—J. Rile to M. M. Conseciao; deed of Sept. 11, 1899; liber 203, folio 448; portion D. lot 27, Patent 4169, Olaa Res., Puna, Hawaii. Consideration \$300.

No. 110—Kauna and wife to R. P. Waipa; deed of March 15, 1900; liber 204, folio 491; R. P. 2102, kuleana 2 F. L. Hahaione, Honolulu. Consideration \$10.

No. 111—M. de Faria and wife to W. Wolters; deed of March 12, 1900; liber 200, folio 493; lot 21, block 16, Kewalo tract, Honolulu. Consideration \$850.

No. 112—J. H. Mackenzie to W. Wolters; deed of March 12, 1900; liber 200, folio 494; lot 26, block 16, Kewalo tract, Honolulu. Consideration \$650.

No. 113—C. S. Desky, trustee, and wife to W. Wolters; deed of March 12, 1900; liber 200, folio 495; lot 20, block 16, Kewalo tract, Honolulu. Consideration \$850.

No. 114—Kaulahea et al. to Humeku; deed of May 27, 1886; liber 203, folio 447; apiana 1, R. P. 5499; Keawani, Molokai. Consideration \$20.

March 17, 1900. No. 115—W. C. Achi and wife to M. P. Amahu; deed of March 2, 1900; liber 200, folio 490; lot 65, King street tract, Honolulu. Consideration \$1,350.

No. 116—W. C. Achi and wife to Hawaiian Land Co., Ltd.; deed of March 2, 1900; liber 200, folio 497; portion R. P. 4932, kuleana 1274, Piliamao, Waikehi, Honolulu. Consideration \$1,600.

No. 117—J. Shaw and wife to Wong Ah Chuek; deed of March 16, 1900; liber 203, folio 449; piece of land Hauhaui, Honolulu. Consideration \$3,900.

No. 118—S. K. Kane and wife to J. Goo Kim, trustee; deed of March 13, 1900; liber 203, folio 448; portion of R. P. 1794, kuleana 1048; Auwalolou, Honolulu. Consideration \$1,150.

March 19, 1900. No. 119—J. D. McVeigh and wife to Minister of Interior; deed of Feb. 27, 1900; liber 200, folio 498; piece of land (2,240 square feet), Kamahele, Honolulu, Oahu. Consideration \$24.

No. 120—Wong Hin and wife to Minister of Interior; deed of March 15, 1900; liber 201, folio 419; portion of R. P. 1995, kuleana 6245 (1,858 square feet), Kamahele, Honolulu, Oahu. Consideration \$185.

No. 121—Lum Ching to Minister of Interior; deed of March 16, 1900; liber 203, folio 451; portion R. P. 1995, kuleana 6245 (1,897 square feet), Kamahele, Honolulu, Oahu. Consideration \$169.70.

March 19, 1900. No. 122—P. Makawala and husband to L. Aho; deed of March 17, 1900; liber 201, folio 421; R. P. 2532, kuleana 1711; Kaneohe, Koolauloa, Oahu. Consideration \$400.

No. 123—F. M. Wakefield to C. C. Kennedy; deed of April 12, 1899; liber 203, folio 451; Patent 4009; Kaliwai, Hilo, Hawaii; one-half interest in Patents in 4175 and 4176; Olaa, Puna, Hawaii. Consideration \$3,000.

March 20, 1900. No. 124—C. H. Patzig and wife to W. F. Jocher; deed of March 8, 1900; liber 203, folio 452; Ap. 1, R. P. 2258, kuleana 2133; Ap. 2, R. P. 2397, kuleana 1405; Hanuakoi, Honolulu, Oahu. Consideration \$500.

No. 125—W. F. Jocher to T. Masuda; deed of March 13, 1900; liber 203, folio 454; Ap. 1, R. P. 2258, kuleana 2133; Ap. 2, R. P. 2397, kuleana 1405; Hanuakoi, Honolulu, Oahu. Consideration \$2,500.

March 21, 1900. No. 126—M. Kahanu and husband (J. K.) to Waiakua Agricultural Co., Ltd.; deed of Feb. 19, 1900; liber 203, folio 455; R. P. 3421, kuleana 1405, Ap. 1 and 2; R. P. 3419, kuleana 1405, Ap. 1; Kawaioa, Waiakua, Oahu. Consideration \$200.

No. 130—M. P. Robinson and A. J. Campbell and wife to Puna Sugar Co., Ltd.; deed of Nov. 29, 1899; liber 201, folio 422; 6426 acres land Poholki; six pieces land 2824 acres, Kamalii; three pieces land 256 18-100 acres, Waiakua; three pieces of land, 67 87-100 acres, Mahawale; 3,165 98-100 acres, leasehold lands, Mahawale, Poholki, etc., all in Puna, Hawaii. Consideration 27,020 paid up shares of \$20 each.

M. Brash left New York for London on March 7th.

## STILL ARGUING

## Supreme Court Matter Being Heard.

President Dole Testifies as to His Understanding of Chief Justice Judd's Resignation.

No decision has been rendered yet as to the constitutionality of the Supreme Court as made up at present. Yesterday arguments, which have been going on for three days, were continued before Associate Justices Frear and Whiting, sitting with Circuit Judge Perry on the Supreme bench. President Dole was the chief figure in yesterday's proceedings and his examination the leading feature of the session.

Attorney General Cooper was as much of a lay figure as on other days. He was in the courtroom during all the argument, but was so quiescent as to cause again the comment which his failure to plead the Government's case has before drawn forth. There was expectation of the Court's deciding the vexed question of its own legality yesterday afternoon when it adjourned until 1:30 o'clock immediately after the morning session was convened.

When Court was opened at that time President Dole, at the request of the Court, took the stand. He was questioned by the Court and by counsel, and answered many queries as to the resignation of Chief Justice Judd, and the incidents of his receiving it, and his understanding of its time of taking effect. Justice Frear conducted the direct examination of the President.

Attorney Long who, with Magoon, is counsel for Bush and others, whose suit for a continuance of their case in the Supreme Court until a Chief Justice is appointed, has formed the basis for the present argument, asked a few questions to him. Long tried to trap President Dole into admitting that he understood Chief Justice Judd to be out of office at present. Dole said that he had sent the letter to President McKinley relative to Judd's resignation because he "thought" this was the proper step to take.

"Well," said Long, "suppose President McKinley had appointed a new Chief Justice. Would he have had to put out Judd, or was Judd considered out?"

President Dole replied that if McKinley had chosen a new Chief Justice, that very action would have meant the acceptance of the resignation of Judd. "Our practice," said he, "is to accept resignations of officials in writing. I have not heard from the President since I wrote him. I furnished Special Agent Hartwell at Washington, with a copy of my letter to the President, for his information."

"I did not authorize him to act in the matter." This was in answer to repeated questions by Long as to who was the Government's representative in the United States and what authority had been given him in the selection of a successor to Judd.

Young Mr. Judd was on the stand some time. He testified as to talks with his father and President Dole, of certain letters written to both, and as to his father's intentions. He was certain that his father did not mean to go out of office until another Chief Justice was selected. Attorneys Long and Humphreys quoted authorities to prove their contention that Judd's resignation took effect immediately on it being handed to President Dole, and that any oral explanations of other intentions had no force in law. They declared that all precedents upheld this theory. Justice Frear evidently differed with this idea, and asked if in their opinion oral evidence ought not to be considered in cases where it was plain that it was the resigner's intention to limit his resignation by a statement as to when it went into effect.

## THE BOARD OF HEALTH.

## Resolutions Concerning Burial and Merchandise.

Resolved, That after July 1, 1900, no interment of the dead shall be allowed in Honolulu at any place within a circle having a radius of four miles with its center at Thomas Square.

Referred to a committee consisting of Dr. Day and F. M. Hatch.

"No plague news today, thank the Lord!" exclaimed Dr. Wood yesterday evening in answer to the reporter's question. No news is good news and so the outlook is brighter.

H. M. Levy is practically well; he was writing letters yesterday and complained only of a pain in his leg, with which he has suffered the last few days. Sen Kam is very much better.

The Board of Health held a brief meeting yesterday afternoon and transacted that business which called for immediate attention, after a short executive session adjourning to meet again tomorrow afternoon.

Mr. Hatch submitted, during the meeting, the resolution appearing at the head of this column.

G. W. Smith introduced a resolution before the Board, as follows: Resolved, That all restrictions respecting the shipment of merchandise from Honolulu, except merchandise from Asiatic ports, be rescinded on and after the 20th day of March, 1900.

This was referred to the Committee on Shipments.

Col. Rubien of the U. S. Quartermaster's Department has now secured wordless excavators and has asked the Board of Health for the privilege of dumping refuse into their scoops. The Colonel's request was granted.

Mr. Dodge, representing the Bishop Estate, was present. The Bishop Estate owns two-fifths of Fowler's yard and has notified its tenants living there to leave. It is the wish of the Bishop Estate that the buildings be destroyed by fire at its expense.

# CAPITAL IS OCCUPIED

(Continued from Page 1.)

States had not proffered its good offices for peace. The following is the text of Mr. Balfour's reply:

"The United States Charge d'Affaires, March 13, communicated to Lord Salisbury the following telegram from Mr. Hay:

"By way of friendly and good office, inform the British Minister of Foreign Affairs that I today received a telegram from the United States Consul at Pretoria reporting that the Government of the South African Republic request the President of the United States to intervene with a view to the cessation of hostilities, and saying that a similar request has been made to the representatives of the European powers. In communicating this request I am directed by the President of the United States to express the earnest hope that a way will be found to bring about peace and to say that he would be glad in any friendly manner to add in bringing about the desired result."

The reading of this dispatch was greeted with cheers from the Irish members.

Continuing, Mr. Balfour said: "Lord Salisbury requested Mr. White to convey the sincere acknowledgement of Her Majesty's Government to the Government of the United States for the friendly tone of their communication and to say that Her Majesty's Government does not propose to accept the intervention of any power in settlement of the South African affairs."

Loud and prolonged cheering followed this statement.

## Speaking of a Skirmish.

PRETORIA, Tuesday, March 13.—Before returning to the front today General Joubert said to a press representative: "The courage of the British soldiers is beyond question. They rushed the kopjes and entrenchments in a fearless manner, but were not a match for the Mausers, which simply mowed them down."

## Johannesburg Must Go.

NEW YORK, March 14.—Montague White confirms the rumor that the Boers will utterly destroy Johannesburg if forced to do so. Pretoria could not be defended, he says, if Johannesburg were permitted to remain.

NEW YORK, March 14.—A dispatch from President Krueger to the Evening Journal, dated Pretoria, March 13th, 8 p. m., via Berlin, says:

"The burghers will only cease fighting with death. Our forces are returning in good order to our line of defense on our own soil. The Natal campaign was longer in our favor than we expected. The British will never reach Pretoria. The burghers, Steyn, Joubert and myself, as well as all the others, are united. There are no differences. God help us."

PRETORIA, Monday, March 12 (via Lourenzo Marquez, Tuesday, March 13).—Lord Salisbury's reply to President Krueger and Steyn causes bitter disappointment, and State Secretary Reitz says it means that the war will be fought to the bitter end.

LONDON, March 15.—The Daily Mail has the following dispatch from Pretoria, dated Monday, March 13th:

Lord Salisbury's reply has been received and a Boer refutation of the British contention is under consideration. It will deny that any annexation has been made, and it will declare that the occupation of British territory was purely strategic. It will express the determination of the two republics to fight to the finish.

## Effects of Lyddite.

NEW YORK, March 8.—A Sun cable from Durban says: Lieutenant Anderson, who commanded a section of the Natal naval volunteers at Ladysmith, has arrived here. He says that toward the close of the Pieters Hill engagement naval guns threw lyddite shells on a kopje 2500 yards distant. When the place was evacuated by the Boers he visited the trenches and counted ninety-eight dead Boers who had been killed by the concussion of the lyddite, not one of them having a wound of any kind.

Anderson declares that the fumes of the lyddite turned the hair and beards of the dead men to a peculiar greenish hue, while the color of their skin was a strange yellow. Fifty-two Boers were captured in one of the trenches. They were unable to flee, having been paralyzed by their fear of lyddite shells.

## Ominous Fear of France.

NEW YORK, March 15.—(Afternoon Service).—A dispatch to the Journal and Advertiser from London says:

A private cablegram from an unimpeachable source in Paris says that the Minister for the Colonies sent cipher cables yesterday to the Governor of every French colony asking, almost in the words of Mr. Chamberlain to the British Colonial Governor, how many soldiers were available for immediate service.

M. de Crais asked for a detailed statement from each Governor of the number of reservists and colonial forces, lists of officers, non-commissioned officers and men.

The Minister's cables were long and in cipher and were sent all over the world; to the Colonies in Africa, the Madagascar, Tonkin, Guadeloupe, Martinique, French Guiana and every French colony on earth.

This highly important news is not known to any of the London papers, and probably not to any of those in France.

It will cause a sensation here when it becomes known. For England is watching with eyes for wonder the preparations that her neighbor is making for war.

Coming as it does right after the announcement that the autumn maneuvers will be a demonstration by 200,000 men on the English Channel, it will cause the British War Office and admiralty to hasten themselves in anticipation of hostilities, for it really does begin to look as if France meant war.

France and Russia are working hand in hand, and Salisbury's diplomacy may be called upon for supreme efforts if he desires to avoid the greatest war the world has ever seen.

# TRANSVAAL NOTES.

News of the War Condensed for Quick Reading.

Boers threaten to carry Mafeking by assault.

Cape Colony rebels are laying down their arms. Pope Leo is praying daily for American mediation.

Krueger may take the chief command of the Boer army. Extreme tension is reported in Anglo-French relations.

Col Plumer's force is now within forty miles of Mafeking. The losses of the British during the war amount to 15,000 men.

A relief column is advancing on Mafeking from Kimberley. General Buller is bitterly criticized for abandoning Spion Kop.

A mob attacked Cronwright-Schreiner at Scarborough, England. The Boers now occupy strong positions on the Transvaal frontier.

All reserve militia in England is likely to be called out by May 1. Great Britain will not treat for peace on the basis of Boer independence.

The Boers claim to have driven Col Buller's forces across the Tugela. Boers confined at Simon's Town were caught trying to tunnel their way out of prison.

British and German Islanders are flocking to Lourenzo Marques from the Transvaal.

Gen. Methuen has occupied Boshof, Orange Free State, capturing guns and 70,000 rounds of ammunition.

Lord Roberts is the popular hero of London, and if he ends the war successfully may be made a Duke.

General White will take command of Stormberg. The Boer evacuation of Cape Colony is now nearly complete.

It is reported from Lourenzo Marques that Johannesburg and the mines will be destroyed if the British are victorious.

The Mutual Life Insurance Company of New York subscribed for \$10,000,000 of the new English war loan.

Mafeking's population is eating horse meat, and dysentery is said to be rife. Typhoid-malaria has broken out in the women's laager.

General Joubert and President Krueger are said to have quarreled because Krueger did not make peace advances after the first Boer victory.

Boers have ordered a census of all women and children in the Johannesburg district with particulars as to the means of prompt transportation for them.

J. G. Stowe, U. S. Consul General at Cape Town, has had an interview with Gen. Cronje at the latter's request. The General expressed satisfaction at his treatment.

Krueger and Steyn have made protests to representatives of neutral powers against the employment of Kaffir troops by Colonel Baden-Powell, the commander at Mafeking, and Colonel Plumer.

Montagu White denies that he received, a fortnight before the war was declared, the assurance that Lord Salisbury would agree to certain conditions made by the South African Republic and that, "after a fortnight's silence, the Transvaal issued the ultimatum which made war inevitable."

Lord Roberts reports continued abuse of the white flag by the Boers and the discovery of explosive bullets in their captured camps. He has notified Krueger and Steyn that if they do not obey the rules of civilized warfare, he will cease doing so. He relates an incident where the Boers raised the white flag and held up their hands and then shot the officers and men who came forward to receive their surrender.

## TELEGRAMS CONDENSED.

News of Coast Files Abbreviated for Quick Reading.

Ex-Minister E. J. Phelps is dead. Sugar—Raw, firm; refined, firm. Joseph P. Ryan, the Irish leader, is dead.

Smallpox is ravaging Mississippi towns. Atlantic liners will use the Marconi system.

General Harnden is dying at Madison, Wis. General Wheeler will claim his seat in Congress.

The shipping subsidy bill will be favorably reported. The labor troubles in Chicago have resulted in bloodshed.

The cruiser Marblehead has been ordered to San Francisco. Women constitute the new managers of the New York News.

Eugene Debs will run for President on a Social Labor ticket. The gold standard bill has been signed by the President.

There are no signs of a lower level of prices in the iron trade. Sir Thomas Lipton will again challenge for the America cup.

It is said France is conspiring to break up the triple alliance. The French-American reciprocity treaty is likely to be beaten.

leased by a Judge who says the action of the police was an outrage. A plan to overthrow the Brazilian Republic has been discovered and frustrated.

Mrs. Emil Wilson, a famous Londoner, has been married to Lord Chelmsford.

Miss Katherine Wolfe Bruce, who gave the \$50,000 telescope to Harvard, is dead.

Sixty-two miners lost their lives in the Red Ash Colliery disaster at Fire Creek, Va.

A bill has been drafted providing for a national home for lepers in Yellowstone Park.

Ex-President Harrison expresses displeasure at the rumor that he will re-enter politics.

Fourteen lives were lost in an incendiary fire in the Italian quarter of Newark, N. J.

The plague steamer Nanjo Maru has left Port Townsend with a cargo of flour for Japan.

Representative Robbins of Alabama has been ousted from office on the ground of fraud.

Thirty-four per cent of the world's sugar supply is from cane and 66 per cent from beets.

The steamer Kaiser Wilhelm der Grosse has made a successful test of wireless telegraphy.

The widow of "Bill" Anthony, of "Maine" fame has been given a place in the Census bureau.

Henry Ward Beecher's sister Mary and half-brother Thomas K. Beecher both died on March 14.

The bill preserving the California big trees from the lumbermen has been signed by the President.

The powers have neglected to ratify the three conventions made by The Hague Peace Conference.

The War Department has no record of Gen. Wheeler having tendered his resignation last November.

Miss Lida Wilbur, the San Francisco girl who lay unconscious for two years from asphyxiation, is dead.

Madame Hermann, widow of the magician, will marry Baron Ivan Orlovitch, a Russian nobleman.

American soldiers are said to have stripped Gen. Gregorio del Pilar's body and left it naked by the roadside.

The Second Presbyterian and Trinity Methodist churches of Chicago have been burned by an incendiary crank.

John L. Macatee of Oklahoma has been nominated for Associate Justice of the Supreme Court of that Territory.

Warrants have been issued for Secretary of State Powers and other officials for complicity in the murder of Goebel.

Senate bills have been introduced providing for the opening of libraries at Manila for the benefit of Americans.

The rival Governors of Kentucky are both forming a large militia. Democrats are planning the arrest of Taylor.

Automobiles with gasoline power are being taken from Golden Gate park. Electric and air-propelled vehicles are permitted.

The remains of President Lincoln are to be put in a temporary vault while the monument at Springfield is being rebuilt.

The submarine torpedo boat Holland had a successful test before the Senate and House Committees on Naval Affairs.

Col. J. T. Morgan opposes Adjutant General Corbin's promotion on the ground of cowardice at the battle of Nashville.

Major General E. M. McCook, twice Governor of Colorado, has become an inmate of the Soldiers' Home at Yountville, Cal.

Mrs. Frances Hodgson Burnett, author of "Little Lord Fauntleroy," has married her former secretary, Stephen Townsend.

# Debility

Neuralgia, Billousness.

When the nerves are weak there is not telling what may happen. You are tired all the time, depressed, restless, and suffering with headache, backache, neuralgia, and general discomfort. But there is a cure, as Mr. J. Elliott, of West Perth, W. A., well knows. He sends us his portrait, and says:



"For many years I suffered greatly with neuralgia in my head and also with billousness. I had tried many kinds of medicines but without help. I then tried

# AYER'S Sarsaparilla

Two bottles made such a difference in my feeling that I was greatly surprised. My general health improved at once, my nerves were stronger, my headache disappeared, and my severe attacks of billousness were cured."

Constipation alone will often cause billousness, neuralgia, and sick headache. Ayer's Pills are a safe and sure cure for all liver troubles. And they cure dyspepsia also.

Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U.S.A.

HOLLISTER DRUG CO., Agents.

Municipal elections will soon be held in Cuba to be followed by the election of delegates to a Constitutional Convention. The plebiscite will occur on April 11. It was intended that the United States should retire from the island at that time, but the date will be deferred.

The Morning Post's correspondent says: "President Krueger shed tears at his ineffectual attempts to rally the Boers, who were completely paralyzed by Roberts' masterly tactics. They were too demoralized to heed his expostulations and declared that the British cannon were everywhere."

The house of the tollgate-keeper on the Mount Pleasant and Columbia turnpike, near Mount Pleasant, Ill., has been torn to pieces by 100 armed men. The tollgate-keeper, who had been warned, escaped before the arrival of the mob. The tollgate had been erected recently, despite a popular protest against it.

There is great anxiety at Constantinople regarding the Russian government's refusal to modify its demands regarding railroad concessions in Asia Minor. The Turkish government advises against a military report on the strategic aspects of the question before giving a decision.

In the Senate Mr. Jones offered the following substitute for the Porto Rico bill: "That all duties collected to this date on the articles imported into the United States from Porto Rico since the 18th day of April, 1899, the date of the exchange of ratifications of the treaty of peace between Spain and the United States, be returned to the persons from whom they were collected, and from and after the passage of this act no duties shall be collected on articles coming from Porto Rico."

## SOME EWA NOTES.

Changes and Social Events on the Big Plantation.

Mrs. David Douglas will entertain the ladies of the plantation at "tea" Thursday afternoon.

Mrs. Dr. Rhodes leaves this week to make her home with Mr. Clark's colony at Wahiawa. She intends to "rough it" with Mrs. Eames, of Pearl City, until their respective houses are built. The doctor will continue his practice at Ewa for the present.

Mr. Carl Behne, time-keeper at Ewa Plantation, has resigned his position and leaves on the Australia for a trip to his old home in Germany. Whether he will return or not, he has not yet decided. His successor is Mr. A. W. McKeever, formerly head luma of the Apokaa Sugar Co.

Mrs. Renton entertained a few of the employees and their families last Saturday evening at a "Book Social." Each guest represented the title of some popular book and considerable ingenuity was displayed in the handling of the subject. Mrs. Douglas won the prize for deciphering the greater number of representations.

## Water Strike in Nuuanu.

While at work in the upper Nuuanu valley a few days ago some of the men connected with the waterworks decided to try the effect of giant powder on an old tunnel near Luakaha. Two or three blasts were fired in the tunnel and the result exceeded expectations. A fine stream of pure water was started, which has since continued to flow. The amount will easily fill a 6-inch pipe and up to the present has been sufficient to run the electric lights in the streets for the best part of the night. Besides this the new source will furnish a welcome addition to the valley water supply during future dry spells.

Yesterday afternoon at St. Andrew's Cathedral there was an exceedingly pretty and interesting event, when the infant daughter of Mr. and Mrs. T. Clive Davies was baptized, receiving the name of Muriel Edith. The ceremony was performed by the Rev. Vincent H. Kitecat in the presence only of the immediate friends of Mr. and Mrs. Davies. The font was very prettily decorated in green and white. Two hymns were sung, and soft music was played on the organ during the entire ceremony by Wray Taylor, the organist.

Lives are a terrible torment to the poor folks, and to some older ones Doane's Ointment never fails. Instant relief and permanent cure. At any chemist's, 50 cents.

# LOCAL BREVITIES.

Several jolly parties of Britshers celebrated last night.

Mrs. Ahlborn and child arrived in the Peking last night.

Rev. O. H. Gulick and wife left for the Coast on the Asa Ralla.

James B. Castle left in the Mikahala yesterday for Kihoh and other Maui ports.

Wildard E. Brown and wife are contemplating a trip to Europe in the near future.

The commission of G. B. Robertson as first district magistrate at Wailuku, Maui was signed yesterday to take effect on April 1st.

The foundations of the new Hackfeld block are completed, and the dressed stonework of the first story is being placed in position.

Eighteen mortuary urns awaiting claimants at the office of the Board of Health. They contain the ashes of victims of the plague.

Notices have been served on all property-owners along the proposed extension of Milliani street between Queen and Halekuanua streets.

The fence of the Hawaiian Hotel, facing on Beretania avenue, is being moved back ten feet in order to comply with the new street lines.

Dr. E. C. Rhodes of Ewa has obtained permission from the Board of Health to come to Honolulu to study plague cases at the pesthouse.

Marshal Brown has offered a reward of \$50 for the capture of Animo, the Japanese supposed to have killed Horie at Kahuku last Saturday night.

Dr. Hoffmann has secured a few days' leave of absence, and yesterday afternoon he and Mrs. Hoffmann went to Kailhi to spend a brief vacation.

The first man to pay two dollars for an injection of the prophylactic serum yesterday was Frederick Innes and the number of his certificate was 128.

Julia Kiiulu filed a claim in the Circuit Court yesterday for \$225.80 for losses by the sanitary fires, and Thomas Sanders filed a similar claim for \$382.75.

Marshal Brown is having the members of the police force instructed in the main art of boxing. This exercise is to become a regular thing with the department.

There are now nearly a thousand people at the Vineyard street relief camp. E. J. Wilson, who is in charge, reports that the new 20-room building is ready for occupancy.

Major General Edward Moody McCook, who has become an inmate of the Soldiers' Home of Yountville, Cal., was the first national commissioner of the United States to Hawaii.

Armstrong Smith will resume his duties as principal of Kailua school when it is reopened, having come out of quarantine after his services as head nurse at the pesthouse.

The mill and new machinery at Ooka were run for a half hour the other day and found to work very satisfactorily. Grinding will begin this week and it is estimated that about 3500 tons of sugar will be made.

Officers were installed in Excelsior Lodge, No. 1, I. O. O. F., by District Deputy Grand Sir W. C. Parke last night. Those who were admitted beyond the sacred portals were E. L. Luquist, N. G.; P. C. Martin, V. G.; L. La Pierre, Secretary; W. C. Parke, Treasurer; A. F. Clark, Condr.; G. J. Boisse, Warden; J. Hodson, I. G.; G. L. Dail; P. G. R. S. N. G.; C. E. Frasier, L. S. N. G.; W. J. White, R. S. V. G.; J. P. Kennedy, L. S. V. G.; G. Johnson, R. S. S.; A. K. Anvick, L. S. S.

## SOME EWA NOTES.

Changes and Social Events on the Big Plantation.

Mrs. David Douglas will entertain the ladies of the plantation at "tea" Thursday afternoon.

Mrs. Dr. Rhodes leaves this week to make her home with Mr. Clark's colony at Wahiawa. She intends to "rough it" with Mrs. Eames, of Pearl City, until their respective houses are built. The doctor will continue his practice at Ewa for the present.

Mr. Carl Behne, time-keeper at Ewa Plantation, has resigned his position and leaves on the Australia for a trip to his old home in Germany. Whether he will return or not, he has not yet decided. His successor is Mr. A. W. McKeever, formerly head luma of the Apokaa Sugar Co.

Mrs. Renton entertained a few of the employees and their families last Saturday evening at a "Book Social." Each guest represented the title of some popular book and considerable ingenuity was displayed in the handling of the subject. Mrs. Douglas won the prize for deciphering the greater number of representations.

# The Elgin

WORLD'S STANDARD FOR TIME KEEPING.

Should be in the pocket of every wearer of a Watch.

Many years' handling of Watches convinces us, that price considered The Elgin is the most satisfactory of American Watches.

Cased in NICKLE, SILVER, GOLD FILLED AND SOLID GOLD.

We have a full line and sell them at right prices.

ELGINS reach us right.

Elgins stand for what is right in time keeping and lasting qualities and that is why we are right in pushing the Elgin Watch.

H. F. WICHMAN BOX 342.

# Wilder's Steamship Co. Ltd

## S. S. KINAU.

On and after Tuesday, Nov. 6, the steamer KINAU will sail from Honolulu on Tuesdays at 12 noon, for Kanaakakal, Lahaina, Maalaea Bay, Kihel, Makena, Kawaihae, Mahukona, Laupahoehoe and Hilo.

Returning, will sail from Hilo on Fridays at 2 p. m. for above named ports, arriving at Honolulu on Saturdays.

## S. S. CLAUDINE.

Will leave Honolulu every Tuesday at 5 p. m., touching at Lahaina, Kahului, Niihau, Hana, Hamoa and Kipahulu, Maui. Returning, touches at above named ports, arriving at Honolulu Sunday mornings.

Will call at Nuu, Kaupo, once each month.

## S. S. LEHUA.

Sails every Monday for Kanaakakal, Kamae, Maunaloa, Kapaemahu, Lahaina, Honolulu, Olowalu. Returning, arrives at Honolulu Saturday mornings.

This company reserves the right to make changes in the time of departure and arrival of its steamers WITHOUT NOTICE, and it will not be responsible for any consequences arising therefrom.

Consignees must be at the Landing to receive their freight; this Company will not hold itself responsible for freight after it has been landed.

Live Stock received only at owner's risk.

This Company will not be responsible for Money or Valuables of passengers unless placed in the care of Purser.

Passengers are requested to purchase tickets before embarking. Those failing to do so will be subject to an additional charge of twenty-five per cent. The Company will not be liable for loss of, nor injury to, nor delay in the delivery of baggage or personal effects of the passenger beyond the amount of \$100.00, unless the value of the same be declared, and freight is paid thereon.

All employees of the Company are forbidden to receive freight without delivering a shipping receipt therefor in the form prescribed by the Company and which may be seen by shippers upon application to the pursers of the Company's steamers.

Shippers are notified that if freight is shipped without such receipt, it will be solely at the risk of the shipper.

C. L. WRIGHT, President. CAPT. T. K. CLARKE, Port Supt.

# CHAS. BREWER & CO.'S New York Line.

Ship "Challenger" will sail from New York for Honolulu on or about April 10, 1900.

For freight apply to CHAS. BREWER & CO., 27 Kilby Street, Boston. Or CHAS. BREWER & CO. LTD., Honolulu.

# Pacific Mail Steamship Co. Occidental & Oriental Steamship Co. AND Toyo Kisen Kaisha.

Steamers of the above companies will call at Honolulu and leave this port on or about the dates below mentioned:

FOR JAPAN AND CHINA:			FOR SAN FRANCISCO:		
1900			1900		
PEKING	MARCH	22	CHINA	MARCH	24
GAELIC	MARCH	30	DORIC	MARCH	31
HONGKONG MARU	APRIL	7	NIPPON MARU	APRIL	11
CHINA	APRIL	14	RIO DE JANEIRO	APRIL	17
DORIC	APRIL	24	COPTIC	APRIL	27
NIPPON MARU	MAY	2	AMERICA MARU	MAY	27
RIO DE JANEIRO	MAY	10	PEKING	MAY	12
AMERICA MARU	MAY	26	GAELIC	MAY	22
PEKING	JUNE	5	HONGKONG MARU	MAY	29
GAELIC	JUNE	13	CHINA	JUNE	5
HONGKONG MARU	JUNE	21	DORIC	JUNE	12
CHINA	JUNE	29	NIPPON MARU	JUNE	20
DORIC	JULY	7	RIO DE JANEIRO	JUNE	28
NIPPON MARU	JULY	17	COPTIC	JULY	17
RIO DE JANEIRO	JULY	26	AMERICA MARU	JULY	17
COPTIC	AUG.	2			

## TWO REPORTS

Read at the Kihei Meeting.

The Manager's Estimates—The Treasurer's Report -- Pumps And Water.

The manager's report and the report of the treasurer of the Kihei plantation were submitted to the shareholders at a meeting held at the Chamber of Commerce rooms yesterday. Both reports were very well received by the stockholders and they were approved.

In his report the treasurer, Mr. J. P. Cooke, states that on the basis of the manager's estimate but two more assessments of 10 per cent will be required during this year. With these two assessments \$600,000 will have been collected for 1900. The estimates of total expenditures for 1900 is \$589,325. The operating expenses for the fifteen months ending December 31, 1899, were \$143,602.51.

A synopsis of the report of Manager W. F. Pogue is as follows: Water being the most important factor necessary for the successful development of this estate, the first work was its development. Development of water at the Worthington pumping station was commenced on the 24 day of October, 1898. A shaft was sunk about 2,500 feet from the beach, and 20 feet above mean tide level. Ten weeks later a 6-inch centrifugal pump was in operation. This shaft was carried down 13 feet below water level, and 11 feet below sea level, the water rising 20 feet above sea level. At that depth two tunnels were started, one south and the other north. The south tunnel was run 99 feet, the north tunnel 100 feet, which shaft and tunnels developed 3,000,000 U. S. gallons per day (24 hours). A second shaft was sunk 600 feet north of the first shaft, the proposition being to connect the two shafts by tunnel at a depth of from 13 to 15 feet under water. This proposition has been carried out to the extent that we now have only 100 feet of tunneling more to do, and have developed about 10,000,000 U. S. gallons per 24 hours. The remaining 100 feet will take about six weeks to excavate, and should certainly develop 2,000,000 gallons of water. The second shaft was sunk 17 feet below water level and 13 feet below sea level; the water in this shaft raising four feet above sea level. The water in this shaft analyzes some twenty grains of salt less than in the first shaft.

The water development for the first crop should have been completed before last July, but owing to the total collapse of four developing pumps, we were detained. By October, however, the water question was solved, there being no question whatever but that, with what water was developed, we would have an ample supply of water for our first crop. There is no question as to the supply of good water on this estate; the amount is only limited by the surface exposed, by shaft tunnel, or otherwise. Water in these shafts analyzes 45 to 75 grains of salt per U. S. gallon, and a concentration of all the water developed is 55 grains per U. S. gallon. The borings of McCandless Bros. at Camp No. 2 struck water in every instance about one foot above sea level, and of better quality than that of our first shaft, but not as good as that of our second, which appears strange, as the shafts are one-half mile from sea shore, and the bored wells two miles.

Wells at Camp No. 3 will be worked by pumps with an aggregate capacity of 17,500,000 gallons a day. Two bored wells at this station establish the fact that there is plenty of good water, which raises the water level seven inches above mean tide level. The water from this station will be used for the production of the 1902 crop, to be planted the coming summer. Water from this station analyzes 30 to 39 grains of salt per U. S. gallon, according to the depth from which samples were taken, the best water being at the bottom of the wells. These wells have not yet been pumped, but when pumped will, of course, give a more uniform quality of water. They are situated about three miles from sea shore.

Planting for seed was commenced the last week in December, 1898, as soon as sufficient water was obtained for irrigation, and pushed along as water was developed, and pumps installed for the delivery at the proper elevation. On account of delay in installation of pumps, planting for the 1901 crop was not fairly commenced before the latter part of last October, and has been pushed as far as possible. We have, to date, 870 acres planted, 850 acres of which will be the crop of 1901. Six hundred acres were planted up to January 1st. Planting for the first crop was completed February 1st.

Seed for planting 125 acres was bought from the Hawaiian Commercial & Sugar Co. and from the Pala Plantation for 26 acres. This gave us 151 acres of seed for planting the first crop, but the delay in planting the crop, together with the rapid growth of the cane, has increased the yield of our own seed above our estimates to such an extent that only about 30 acres of this cane will be cut for seed for this crop, and 11 acres for planting next summer for the 1902 crop, the balance of 110 acres going over for grinding, this spring and next. None of the cane planted has, thus far, tasseled.

The first of the 20-inch pipe lines has been laid for about two miles to the 200-foot contour, and the second completed to the 150-foot contour, about three and one-half miles conveying water from the Worthington pumping station. The manager recommends lining all dunes and water ways to save water. The railroad as far as Camp No. 3 is completed, or three and one-half miles in all, besides a mile and a half of portable

crack in the direction of the Hawaiian Commercial Co.'s plantation.

There is a total of 249 houses exclusive of water closets and bath houses, which number 46.

Owing to the barrenness of the lands before cultivation, and the high winds at times, it is very necessary to do considerable tree planting. This has been done to a limited extent only, there being now planted and growing about 10,000 trees. The convenient contract laborers, who are not strong enough to do other work, have done this work together thus far.

The estimated cost for water development during the present year is \$11,300. This includes excavating, boring, laying pipes and finishing development for Worthington pumps. The following estimates for the coming year are made: Pumps, \$208,000; buildings, \$27,000; shaft and chambers at Camp No. 3, \$75,000; railroad, \$12,000; irrigating pipe line, \$8,000; coal, an average of 500 tons a month, \$48,000, operating expenses, including all labor but not coal, \$150,000; miscellaneous expenses, \$87,825. The gross estimated expenditures are \$609,225. The estimated receipts of 225 tons of sugar this year and sale of some machinery is \$19,000, the net expenditures being reduced to \$589,325.

It is proposed to plant 1,200 acres for 1902. Planting the coming year will not be as expensive as the past, as the lands have very little stone. Our stoniest cane land is included in the first crop. There is a surplus left over of cane planted for seed of 30 acres, which will be ground this spring—30 acres cane, estimated 225 tons sugar. Estimated crop of 1901: 783 acres plant cane, 6,000 tons sugar; 67 acres ratoons, 500 tons sugar; total cane, 850 acres; total sugar, 6,500 tons. Estimated crop of 1902: 1,200 acres plant cane, 10,000 tons sugar; 200 acres ratoons, 1,400 tons sugar; total cane, 1,400 acres; total sugar, 11,400 tons. Six hundred acres ratoons from the 1901 crop will go over as long ratoons until 1903.

The very great absorptive quality of the soil has been well proven by the amount of water required per acre for irrigation. The soils are of two kinds. The sandy, of which there are about 200 acres under cultivation, and the red soil. Cane on the sandy soil requires about one inch of water every three to five days, whereas cane on the red soil requires one inch of water every seven to eight days. One million gallons of water per day will easily irrigate 150 to 200 acres of red land. There is now being used about 7,500,000 gallons of water to irrigate 900 acres, which includes 200 acres of sandy land. All the cane under cultivation is looking well, and is sure to give good returns, but not as good as if it had been planted earlier in the season. Up to within a month of the end of the year labor was extremely short, but since the 1st of January the labor supply has improved so that now there is all the labor needed.

**The Greatest Wealth is Health.**  
Many a rich man suffering and sick would give all his wealth for the return of good health. Rich and poor can keep healthy if they pay attention to nature's warnings of approaching disease. If your liver is sluggish, if you feel dull, drowsy, or inactive; if your heart doesn't pump right, palpitations, thumps, sometimes vigorously and sometimes faintly; if your bowels are inactive, or overactive; if your stomach fails you; if your kidneys fail to act naturally; your health is threatened; but there is still help for you if you will take KICKAPOO Indian Sagwa. You must act quickly. Disease is progressive; you must stop it at once. KICKAPOO Indian Sagwa will do it. Hobron Drug Co., agents for KICKAPOO Indian Remedies.

**OFF TO WAR.**  
Col. Mills Leaves for Manila Via San Francisco.

(From Wednesday's Daily).  
Col. Mills, Sixth U. S. Artillery, who left yesterday on the Australia for San Francisco, whence he will leave for Manila by transport, states with reference to a recent dispatch which says that the army in the Philippines is to be decreased, that this will be unlikely for some time to come. Although certain battalions of the Fourteenth, Eighteenth and Twenty-third Regiments, and several batteries of the Third Artillery, are to be sent home before June, they will in all probability be replaced by other detachments of equal strength from the forces now in Cuba.

"It is the intention of the Government," said the Colonel, "to relieve those troops which have been stationed in foreign service for two years and bring them home. Although temporarily at peace in the Philippines, towns will have to be garrisoned, including those in every island of the scattered group. This will require a large army, with a sufficient reserve in Manila for emergencies. Therefore, I don't think the government will lessen its army strength therefore for the next year or two, but will immediately fill up the gaps by troops from Cuba, who have not been on foreign service for any great length of time."

Col. Mills expects that the batteries of the Sixth Artillery already in service in Manila will be retained there for the full term of their foreign service.

**WHAT TO DO UNTIL THE DOCTOR ARRIVES.**

It is very hard to stand idly by and see our dear ones suffer while awaiting the arrival of the doctor. An Albany (N. Y.) druggist called at a drug store there for a doctor to come and see his child, then very sick with croup. Not finding the doctor in, he left word for him to come at once on his return. He also bought a bottle of Chamberlain's Cough Remedy, which he hoped would give some relief until the doctor should arrive. In a few hours he returned, saying the doctor had not come, as the child was much better. The druggist, Mr. Otto Scholz, says the family has since recommended Chamberlain's Cough Remedy to their neighbors and friends until he has a constant demand for it from that part of the country. For sale by all druggists and dealers; Benson, Smith & Co. Ltd., agents for H. I.

## HIS HEAD WORTH FIFTEEN TIMES ITS WEIGHT IN GOLD



Leung Chi-so has no queue. He adopted European clothes and coiffure in Japan when he was made a citizen there. Asked yesterday why he had not the usual long tail of his countrymen, he said, "It is more convenient without it." I doubtless he recalled the exciting days when all China and Japan were ransacked for him. His Japanese name is Kasuabala. When this picture was taken of him, he wore the Chinese dress of the mandarin and had his head shaved accordingly. His appearance now is much different with a growth of several inches of black, stiff hair where the picture shows a shaven pate. The Chinese Government will pay \$65,000 for his head, or fifteen times its weight in gold.

A man whose head is worth to someone else \$65,000 might well be careful of it. But Leung Chi-so, Chinese reformer, now in Honolulu, seems little more particular of keeping his head attached to his body than is the average man with no price offered for his killing. He drives, walks and stands about the streets of Honolulu with apparent disregard for danger. A close observer might notice, however, that he one or two Chinese who always accompany him, watch like hawks the movements of their charge. Possibly a search might disclose that both Leung Chi-so and they were armed and ready for an attack.

Leung Chi-so has been here since December 31, on which day he was landed by the Hongkong Maru from Yokohama. He had escaped the snares laid for him by the spies of the Dowager Empress of China. At her orders the Chinese Government offered a reward of 100,000 taels, or about \$65,000, for his head laid down in China. Li Tung Chang was especially deputed to look after the delivery to the authorities of that portion of the reformer's anatomy above his shoulders, and to pay the reward to the person or persons bringing it.

Leung Chi-so is an interesting man. Without thought of the enormous value of his head removed from his body, one could not fail to mark the forceful personality of the man, who made perhaps the biggest stir, without recourse to arms, of any citizen of the Chinese Empire in many years. He is young, robust, bright-eyed and collected in his demeanor, noting everything about him, weighing well his answers to questions but showing no fear of anything.

Yesterday an Advertiser reporter interviewed him. It was not hard to get to see him. He lives near the center of town in a small house retired from the street, and shares the dwelling with several others who are devoted to his cause. The casual mention to a leading Chinese editor that he wanted to talk with Leung Chi-so gained the interview.

"Meet me on the corner of Beretania and Emma streets at 5:30 o'clock," said the editor, "and I will take you to his home."

Leung Chi-so was seated in the parlor. He wears American clothes rather awkwardly. He rose to shake hands and his secretary, interpreting his greeting, said that he wished the visitor good-day. The youth of the noted reformer was rather shocking. Fancy had painted a grave, deep-lined face. Instead was a smooth, boyish-looking countenance; big, brown eyes that laughed and analyzed at once, and a mouth—the most prominent of his features—large, with remarkably sharp-pointed teeth, white and irregular.

Leung Chi-so speaks some English. Its limits were, however, too small to permit of his explaining his mission. The Advertiser reporter did not speak Chinese, so all the conversation was through the interpreter. Leung Chi-so has the Chinese way of never answering questions directly. Ask him how old he is, and he talks for several minutes about some other subject.

He is 27 years old, is married, and has a girl baby. His wife, who was the sister of the Inspector General of Colleges in China, is living in Japan. His father was a teacher in the Sun Wui District of the province of Canton. Leung was a bright scholar, said the interpreter, and at 12 years of age had secured the degree of B.A.; at 16 was an M.A., and at 23 had embarked in political life at Peking. Then he joined the reform party, organized in 1895, with a membership of progressive, educated men who sought to change the existing laws and customs and to drag

China from her lethargy. Kwang Yu Wei was the leader and soon next to him ranked Leung Chi-so.

The government objected to the aims of the party and took steps to break it up. Leung went to Shanghai and started the Chinese Progress, which he edited for a year and a half, and made a powerful organ of the reformists. Under his able management it attained a wide circulation, and fell under the ban of the government. Leung Chi-so next became principal of Hunan College, and when the Emperor espoused the principles of the reform party, Leung was called with others to Peking. Here he was second to Kwang Yu Wei in the gallant band of reform leaders who, through the Emperor, secured the startling series of edicts which, if carried into effect, would have turned topsy-turvy the Chinese governmental, educational and industrial systems.

But the corrupt officialdom of China was not to be driven from the opportunities for power and wealth which had been theirs for centuries. The Emperor was practically deposed; soldiers were sent to seize the reformers, and six of them, who were unable to flee in time, were beheaded. This was in September, 1898, and Leung Chi-so with Kwang Yu Wei, owe their present existence to quick decision and action on their part.

He threw himself on the protection of Count Ito, the Japanese Minister who was also of the advisory board to the Emperor of China. Leung was hurried to a Japanese warship in the harbor of Tien-Tsin, the treaty port of Peking, and sailed for Japan. He staid there until December, 1899, when he came here. In Yokohama he edited the Chinese Discussion, shaved off his queue, adopted European clothing, became a Japanese citizen, and planned his present trip to the United States and probably to Europe.

He told all this yesterday in reply to questions. He smiled when relating his hasty exit from Peking and his narrow escape from the two-headed sword. When he related the aims and hopes of the reform party his face grew grave and earnest.

"We of China," he said, "will have the change we desire in the near future. We want the power in the hands of the people and don't want to be ruled by a despotism. We want a constitutional monarchy, the right to vote on important issues, safety for person and property, advanced educational ideas, and a pure and honest administration of all offices."

"This must all come about soon. The people are fast growing into reform channels of thought. The old regime must pass, but we seek no revolution. We are men of peace and believe that public sentiment will bring about our ends without the letting of blood. In Honolulu four-fifths of the Chinese are of our party. Bright Chinese here have educated them. I feel in no danger here. My head is of course valuable"—Leung Chi-so put his hand on his cranium—"but my friends look out for me. I intend to go to the United States soon but want first to visit the other islands and have been waiting for quarantine to permit this. My work in life is to push on the reform plans. I shall go wherever my presence can help."

Leung Chi-so impresses one who does not understand his language as a fearless, broad-minded celestial, without conceit but not without guile. He has not learned the white man's habits of thought nor unlearned the Chinese's manner of reasoning. His features are expressive and not unhandsome in a Chinese fashion. He is courteous, appreciative and shrewd. But he knows the worth of his shock head and his friends watch it carefully.

## BAD FOR SHIPS

Marine Hospital Rules Add Thirty Days.

When Quarantine is Raised by Board, United States Officials Commence Separate Period.

If the Board of Health decides that thirty days is a safe period of time in which to raise the quarantine of the port of Honolulu, that is, thirty days after the last case of plague was officially reported by the Board, the shipping interests will then have to face the iron-clad regulations imposed by the United States Marine Hospital Service.

In a circular issued by Surgeon-General Wyman to the surgeons of the service, entitled, "Quarantine Regulations for domestic ports to prevent the introduction of plague from Santos, Brazil and Oporto, Portugal," Dr. Carmichael points out the significant fact that Honolulu is also included in the restrictions of the circular which read as follows:

"In view of the officially reported prevalence of plague in Santos, Brazil, and Oporto, Portugal, and the local conditions at these ports, the following regulations relating to vessels arriving herefrom at ports of the United States, are hereby promulgated. This circular will remain in force until thirty days after the official announcement of the cessation of plague in said cities. The regulations for domestic ports regarding plague and promulgated by department circular of January 18, 1897, are embodied herein in full. Attention is called to the fact that all vessels from Santos and Oporto are to be subjected to these requirements."

Regarding vessels leaving Honolulu for the Coast after the first thirty days is completed since a reported case of plague, Dr. Carmichael said: "To illustrate the important features of this circular, we will suppose that in thirty days from this date the Hawaiian Board of Health declares the quarantine raised and the port of Honolulu free from infection. For thirty days after that I will be compelled to issue the same class of bills of health to vessels going to the United States that have issued from my office since December 12th last. In short, it means sixty days before my instructions will allow me to declare the port of Honolulu a clean one."

"On the other hand, should the Board of Health declare that fifteen days is a safe period of time in which to raise a quarantine since the last reported plague case, the thirty days I will have to tack or will make the total number of days only forty-five. Of course it is for the port officials at the other end to say what shall be done when the vessel arrives there. They can quarantine the vessel or not as they choose."

This seems like jumping from the frying pan into the fire, but the probabilities are that the quarantine officers in San Francisco, Seattle, or in fact, any coast city would not deem it absolutely necessary to hold vessels in quarantine after such a long period of cleanliness at this port is proclaimed.

**Incurables Not Homeless.**  
The incurables in the hospital at the Kerosene camp will, before long, be supplied with a home. Bishop and Mrs. Willis have done much to bring about this result, having conferred with Dr. Wood and decided on the ways and means.

The camp hospital will remain as it is and the expense of running the place will be borne by private subscription, and Dr. Bowman will be retained in charge. A. L. C. Atkinson, who first planned a home for the incurables, is at present in Kahului. The opportunity is now ripe for those interested in the matter to show their sincerity in a substantial way.

Mr. George J. Twohy of Norfolk, Va., arrived in the Henry B. Hyde yesterday. He brings letters to several prominent persons here. He is the guest of Captain Scribner and after a short visit here will return East in company with the skipper of the Hyde.

—THE—  
**Von-Memm Young Co., Ltd.**  
HONOLULU.

—AGENTS FOR THE—  
**Lancashire Insurance Company.**  
CAPITAL, £3,000,000.

Paid Up Capital and Funds, £1,687,162.  
Insurance effected against loss or damage by fire on buildings and contents of warehouses, office and store premises and private dwellings at moderate rates.

Prompt and equitable settlement of losses.  
Life business also transacted on favorable terms.

**The Baloise Fire Insurance Company**  
Capital ..... Frs 10,000,000.00  
Fire Fund and Reserve for Uncollected Premiums ..... 23,923,134.16  
Frs 33,923,134.16

Fire Insurances effected as above at the Lowest Rates.

**THE VON-HAMM YOUNG CO.,**  
—LIMITED—  
AGENTS FOR THE HAWAIIAN ISLANDS...

## Down Again

In prices is the market for flour and feed, and we follow it closely. Send us your orders and they will be filled at the lowest market price. The matter of 5 or 10 cents upon a hundred pounds of feed should not concern you as much as the quality, as poor feed is dear at any price.

**We Carry Only the Best.**

When you want the Best Hay, Feed or Grain, at the Right Prices, order from

**CALIFORNIA FEED CO.**

TELEPHONE 121.

DISINFECTANT

IS THE BEST AND SAFEST Disinfectant!

It is cheaper and more EFFECTIVE than any other preparation. Sprinkled about cesspools, stables and outhouses it will thoroughly disinfect.

It does not lose its strength by coming in contact with the soil, but

\*\*\*\*\*

**It Kills Germs!**

Put up in all sizes. Pint bottles, 25c, which will make a pail of the surest germ-destroyer.

\*\*\*\*\*

**HOLLISTER DRUG CO.**

FORT STREET.

\*\*\*\*\*

**POWELL'S BALSAM OF ANISEED**

WILL CURE YOUR COUGH.

ALL THE WORLD OVER, THE RECORDING OF THIS REMEDY IS IMMENSE, and throughout the world indicates its insuperable value.

UNSOLICITED TESTIMONIALS.

"The Ocean or Westerner's Balm" writes—"I was a child to try the Balsam of Aniseed. I did, and have found very great relief. It is most comforting in allaying irritation and giving strength to the voice."

—LORDS, BARNUM, Esq., the eminent actor writes—"I think it an invaluable medicine for members of my profession, and have always recommended it to my brother and sister artists."

—Mr. Thomas Huxton, Chemist, Llandilo, October 1st, 1899, writes—"I have commenced my fifty-second year in business to-day. I remember my mother giving me your Balsam for coughs and colds nearly 70 years ago. My chest and voice are as sound as a bell now."

**COSENE THE PHLEGM IMMEDIATELY. NIGHT COUGH QUICKLY RELIEVED.**

SEE TRADE MARK AS ABOVE ON EACH WRAPPER.

See the words "Thomas Powell, Blackfriars Road, London," on the Government Stamp.

Refuse Imitations. Established 1824.

SQUATTERS AND FARMERS WHEN ORDERING THEIR STORES SHOULD NOT OMB THIS TIME-HONORED COUGH REMEDY.

FOR A COUGH.

**POWELL'S BALSAM OF ANISEED.**

FOL ASTHMA, INFLUENZA, &c.

SOLD BY CHEMISTS AND STOREKEEPERS THROUGHOUT THE AUSTRALIAN, NEW ZEALAND, AND CAPE COLONIES.

Bottles in 1/4, 1/2, 1, 2, 4, and 8 oz. sizes.

Agents for Hawaiian Islands:

HOLLISTER DRUG CO., LTD.

BENSON, SMITH & CO.

HOBSON DRUG CO.

# A ONE-SIDE ARGUMENT

Supreme Court Legal Aspect.

## IS IT CONSTITUTIONAL?

Attorney General Cooper's Attitude In the Matter Provokes Much Unfavorable Comment.

(From Thursday's Daily)

For two days the question of the legality of the Supreme Court as at present constituted has been argued before the Court itself. Associate Justices Frear and Whiting have been accompanied on the bench by Circuit Court Judge Perry. As is well known Chief Justice Judd has been away from Honolulu for six or seven months. The March term of the Court was opened on last Monday. Before any cases were considered the constitutionality of the bench as composed of but two supreme justices was attacked. Lawyers whose clients had appeals before the Court wanted assurance of the Court's right to sit. Immense interests might be jeopardized by a doubt of the Court's legality; land titles involved in some of the suits to come up might be invalidated.

So a petition for a continuance of the case of J. E. Bush and others against the Republic of Hawaii was made the basis of argument. On Tuesday J. A. Magoon and I. M. Long, counsel for Bush and others presented the petition praying that the case be not heard until a Chief Justice be appointed. It was alleged that the Court is not "properly constituted to hear cases; that A. Perry is not legally qualified to sit on this case; that heretofore, on the 28th day of December, 1899, the Honorable A. F. Judd, then Chief Justice of this Court, duly filed with S. B. Dole, President of this Republic, his written resignation of the Chief Justiceship of this Honorable Court, and that the said A. F. Judd then and there ceased to be Chief Justice of this Honorable Court. Wherefore plaintiffs pray that this Honorable Court decline to hear the above entitled cause at this time and until a chief justice shall be duly appointed and installed in office, and that Hon. A. Perry may not sit in this case.

Attorney General Cooper as the legal representative of the Hawaiian Republic was expected by the members of the bar—and evidently by the Court—to act his part in the hearing. It was naturally supposed that he would—as the Government's case was on trial—defend the Republic of Hawaii in the argument brought by the lawyers for Bush and others. Instead he has neglected his client's—the Government's—case and has been conspicuously absent in the controversy. Only when his presence was demanded by the Supreme Court Justices did he come into Court and then only to shirk his duty with the assertion that the Government intended to take no stand in the matter but that he would look up any authorities wanted by the Court. His striking indifference in this case—of vital importance to the people of Hawaii—has been differently interpreted. Cooper, say many lawyers, is letting an ambition to wear the shoes of the Chief Justice overcome his plain duty in the premises; he is sacrificing the Government's interests for personal desire. His position in the matter is untenable. President Dole and the leaders of the Government hold that Chief Justice Judd's resignation does not take effect until his successor is appointed, and that under the Constitution Judge Perry or another may fill up the Bench for all purposes. Cooper, as the attorney for the Government should defend this stand; he should also as counsel for the Republic of Hawaii defend his client in the suit which Bush and others have brought, and of which the above petition is a part. His failure to do this has excited much unfavorable comment even from those who contend for the resignation of Judd. The bar believes that Cooper yearns to be the next Chief Justice and that by letting the case go by default, he hopes for a decision that Judd's seat is vacant and therefore ready for another man.

On the opening of court yesterday affidavits, as published in full in yesterday's Advertiser, were presented. The affidavits were from President Dole as to his receiving Chief Justice Judd's resignation; from A. F. Judd, Jr., relative to his father's intentions, and from Auditor General Austin as to the Chief Justice's salary having been paid up to the present time.

Young Mr. Judd was certain that his father intended and believed his resignation to take effect only when his successor was appointed, and President Dole had a thorough understanding on this point at the time the resignation was handed him. This is proved by his letter to President McKinley, as follows:

"Executive Chamber,  
Honolulu, H. I., Dec. 28, 1899.  
"Mr. President: Yesterday I received Mr. Judd's resignation as Chief Justice of the Supreme Court of the Hawaiian Islands.  
"While in the cases of other vacancies in official positions of this government I have followed the practice of making appointments subject to your authority, I have preferred in this matter, considering the importance of the position and the prospect of an early substitution of a new form of government for our present system, to refer the matter to you for your instructions in case you should desire to give any."

"Judge Judd has been incapacitated by illness from attending to his official duties for a good part of a year and has resigned, as I understand, because of that alone. His absence from judicial work has, to some extent, been an

inconvenience to proceedings in the Supreme Court.

"It is desirable that the place be filled without unnecessary delay.  
"I have not accepted his resignation as yet, as that would embarrass the status of the Court, there being legal provision for temporary filling the place of an absent justice but none providing for an absolute vacancy, except by permanent appointment.  
"Judge Judd's address at present is Clifton Springs, New York.  
"I am, Mr. President, most respectfully yours,  
SANFORD B. DOLE  
"To the President of the United States, Washington."

While Magoon and Long are the attorneys for Bush and others, the plaintiffs in the particular case on trial, other lawyers were invited to speak yesterday by the Court.

Attorney George D. Gear attacked the affidavit of the Chief Justice's son, and said: "The resignation speaks for itself and any effort to contradict it would be as incompetent in this Court as any court of law. Here especially it is inadmissible in that it seeks to place before this Court evidence as to what was in certain letters. If there have been letters of that kind written the letters are the best evidence. The affidavit seeks to state his father's intentions, which cannot be set forth in the way he has attempted. That 'it was his understanding of the law that his resignation would take effect only upon the appointment of his successor,' that he so intended it and that words to that effect would be merely superfluous." I object to all that part of the affidavit. Also to the part of the affidavit which speaks about 'instructions given me by my father since he wrote his letter of resignation' and 'reiterated in a letter written by his direction'; that on the occasion of the writing of his letter of resignation I drafted a letter for him which specified that his resignation was to take effect upon the appointment of his successor. I ask that that letter be produced in evidence and that that part of the affidavit be not received by this Court on the ground that if there is any such letter it should be produced. I object to the further statement in here that he has not received from his father 'any intimation that his resignation was intended to take effect or that he desired that it should take effect except upon the appointment of his successor,' as inconsistent with the facts as hereinbefore set forth. I also object generally on the ground that it is irrelevant, incompetent and immaterial, on the ground that it is hearsay and that it is not the best evidence and on the grounds before stated. Also on the ground that it directly contradicts his resignation, which the Court must construe by the terms of the resignation itself. It cannot be contradicted by parole testimony."

Attorney A. S. Humphreys coincided with Attorney Gear, and the Court said that the best course would be to have the affidavits filed and received, subject to the objections as to how far the evidence was relevant. The affidavit of the Auditor General was then filed, when Gear resumed: "I make the formal objection to this affidavit that it is incompetent, irrelevant and immaterial. The question of whether he drew his salary or not is immaterial and it cannot affect his resignation. And, further, that at the time he was supposed to have given his power of attorney he was not competent to give it, having been incapacitated by serious illness."

Humphreys said "I desire, in order that I may get my contentions before the Court, to state on behalf of my clients that I shall contend that there is an absolute resignation without reference to its acceptance. I shall contend furthermore that there has been an abandonment of the office, and I shall contend furthermore that the office is vacant by reason of the insanity of the Chief Justice, as provided in Article 44 of the Constitution; which insanity we will offer evidence on. I shall further contend that that power of attorney is absolutely void, having been given by an insane man; and if he was not insane when it was given, it has become void, as he has since become insane, which fact absolutely revokes it, and those payments are absolutely illegal."

Attorney Magoon said that he did not attack the position of the Chief Justice on the ground of incapacity. He would not consent to such an attack as far as his client was concerned. He would withdraw his objection to the makeup of the Court if this point was pressed. He was content to rely on the sole argument of the effectiveness of the resignation. Magoon quotes paragraph 2 of section 1 of Article 90 of the Constitution, which provides that impeachment of the Chief Justice for incapacity, among other things, shall be done by the House of Representatives.

Humphreys said that he had no intention to "attack the Chief Justice. There was no impropriety in recognizing the fact that the hand of God had been laid on the former high magistrate."

Justice Frear asked for discussion on the preliminary question of the competence of the documentary evidence offered, beside the resignation. Attorney General Cooper said that the Government which he represented was satisfied with the composition of the Court. Gear wanted to be informed as to what position he and Humphreys stood in. They claimed the right to object on the ground of the Chief Justice's incapacity. Even if the resignation were not effective, they held the Chief Justice had abandoned his office.

Magoon said "I do not consider it necessary to inquire whether the Chief Justice abandoned his office. I would consider the decisions of this Court valid if it could be shown that the Chief Justice has not resigned. I am therefore opposed to any attempt at establishing the fact of the Chief Justice's incapacity."

Gear said he would let the point go in this case and bring it up again in one of his own cases. The Court might in the meanwhile render a decision in the matter of the resignation. Justice Frear consulted with his colleagues and announced that the Court thought it best to consider the case on the grounds raised by counsel in the case of Bush and others.

Attorney Long, associated with Magoon as counsel for Bush, then began his argument for his clients. He took up first the documentary evidence as to the legality of the Court, and said

"Did the endorsement by President Dole vacate the office of Chief Justice? Was there anything left to do or be performed to make the resignation complete? No. Parole evidence to qualify a man, simple and unqualified as given would be without authority and with no parallel. If anybody were able to write his full intentions in a resignation on it ought to be the Chief Justice. Who was a man experienced not merely in ordinary business but in the administration of law."

Long said that he would anticipate his adversaries—if there were any—by quoting a decision from a Hawaiian in the case of the Queen against John Costa and Anna Costa.

"This was written by Chief Justice Judd and joined in by Justices S. B. Dole and K. P. Bickerton. The question was the validity of indictments presented by W. A. Whiting, commissioned as Deputy Attorney General by Attorney General Creighton after the cabinet to which the latter belonged had resigned under a vote of want of confidence by the Legislature. The resignations were dated December 1, but the new Cabinet of Queen Liliuokalani only took office on December 8, 1892. The decision upheld the theory that the machinery of government could not be allowed to stop, and in that case the acts of the Attorney General were held valid between his resignation and the appointment of his successor. Yet the Court intimated that the acceptance of a resignation was not essential to its completeness. It only went so far on the other side as to say that it was the duty of the sovereign to appoint her Ministers as soon as possible."

Long said that the present case had not the same basis as that quoted in 8 Hawaiian. "There would be much inconvenience from an interregnum of the Supreme Court lasting a few months, but it would not put a stop to the machinery of the Government in general." He argued for many minutes in this strain. Attorney General Cooper kept out of sight much of the time. When he did drop into Court it was with languid eye and ear. His conduct was in keeping with his declarations that the Government declined to meet the objections of the counsel. Judge Whiting toward the close of the session called him sharply to task. The Associate Chief Justice wanted to know the Government's views, and was apparently much astonished by the people's attorney's inaction. "You are for the defense in this case," said Justice Whiting, "and should answer."

Cooper looked blank and answered lamely that he was willing to submit to the Court's finding. "As a friend of the Court," said the Attorney General, "we are willing to be shut out and let the Court decide. The Republic is satisfied to take the Court as now constituted. If our Department can be of service in this case, though, we are willing to aid, but will need time. The opposing counsel have presented a very strong case."

Cooper's attitude was not relished by the Bench. It is probable that it will be strongly hinted to him that he must work a trifle for the Government's side, and forget his own longings. The bar wonders at his inactivity and winks its eye. Today there will be further argument.

## EVERY DAY FACTS.

Honolulu Produces Its Share—This Comes From Kawahāhō.

What makes anything a fact? Isn't it an occurrence of statement that can be proven true and correct in every particular? What constitutes conclusive evidence to the mind of a Honolulu citizen? Is it the statement of some one made in Texas or California? We think not, but when some of our own people make a statement and it is indorsed by many, there can be no question about that. Under these circumstances we call them facts, and they are every-day facts, because they are occurring every day. Don't take our word for what is said. If you are not satisfied, ask them; people don't make such assertions without good reasons.

The Rev. J. Nua of Kawaiahao informs us:

"I suffered from kidney trouble, which was, I believe, caused by my lifting heavy weights whilst young. Pains in the small of my back were one of the symptoms of my complaint. My trouble extends back to the time when I was 28 years of age, and as I am now 48, that is a considerable period. During all this time I was subject to pains in the back. They continued despite the fact that I consulted several physicians and took numerous remedies. No relief thus gained can be compared to the benefit obtained from using Doan's Backache Kidney Pills. I have got on wonderfully well since taking them. I am quite satisfied with the result, and shall always have some of the pills by me, even when going from Honolulu to other missionary fields in the South Pacific. There is no other remedy like Doan's Backache Kidney Pills for kidney complaints, including backache."

It is important to get the same pills which helped Mr. Nua—DOAN'S BACKACHE KIDNEY PILLS. Therefore, ask for Doan's Backache Kidney Pills.

Doan's Backache Kidney Pills are sold by all druggists and storekeepers at 50 cents per box (six boxes for \$2.50), or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

## HOW TO SAVE DOCTOR BILLS

We have saved many doctor bills since we began using Chamberlain's Cough Remedy in our home. We keep a bottle open all the time and whenever any of my family or myself begin to catch cold we begin to use the Cough Remedy, and as a result we never have to send away for a doctor and incur a large doctor bill, for Chamberlain's Cough Remedy never fails to cure. It is certainly a medicine of great merit and worth.—D. S. Meakle, General Merchant and Farmer, Mattie, Bedford county, Pa. For sale by all druggists and dealers: Benson, Smith & Co., Ltd., agents for H. I.

The Chinese are the most numerous applicants for building permits

# Cuticura SOAP

For the Complexion

For Red Rough Hands

For Hair and Scalp

For Sanative Uses

Instant Relief

Speedy Cure

For Every Humor

Honolulu Stock-Yards Co., Limited

General Commission Merchants

Dealers in All Kinds

Live Stock, Fowls, Feed and Vehicles

Bought, sold and exchanged on commission.

Stock for breeding purposes a specialty.

Parties desiring to buy or sell anything in our lines would do well to consult us. Any information relating to same will be freely given.

Correspondence solicited.

Columbia

AND

Rambler

Bicycles are due on the Australia this week.

Over 150 will come if our orders are all shipped. We will sell you all about them when the steamer gets in.

Columbias and Ramblers occupy the top round of the bicycle ladder. You want the best, we have the best.

E. O. HALL & SON, LTD.

Bike Department, next to Bulletin Office.

G. N. WILCOX, President.

E. SUHR, Secretary and Treasurer.

J. F. HACKFELD, Vice President.

T. MAY, Auditor.

PACIFIC GUANO AND FERTILIZER CO.

POST OFFICE BOX 484—MUTUAL TELEPHONE 467

We Are Prepared to Fill All Orders for

Artificial

Fertilizers.

ALSO CONSTANTLY ON HAND—

PACIFIC GUANO, POTASH, SULPHATE OF AMMONIA

NITRATE OF SODA, CALCINED FERTILIZER,

SALTS ETC., ETC., ETC.

Special attention given to analysis of soils by our agricultural chemist.

All goods are GUARANTEED in every respect.

For further particulars apply to

DR W. AVERDAM, Manager.

Pacific Guano and Fertilizer Company

## INSURANCE.

Theo. H. Davies & Co.

(Limited)

AGENTS FOR FIRE, LIFE AND MARINE INSURANCE.

Northern Assurance Company,

OF LONDON, FOR FIRE AND

LIFE Established 1836

Accumulated Funds £3,975,000

Brit and Foreign Marine Ins. Co

OF LIVERPOOL, FOR MARINE.

Capital £1,000,000

Reduction of Rates

Immediate Payment of Claims.

THEO. H. DAVIES & CO., LTD.

AGENTS

Hamburg-Bremen Fire Insurance Co

The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of

F. A. SCHAEFER & CO., Agts.

German Lloyd Marine Insurance Co OF BERLIN.

Fortuna General Insurance Co OF BERLIN.

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms

F. A. SCHAEFER & CO., General Agents.

General Insurance Co. for Sea, River and Land Transport, of Dresden.

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., Agents for the Hawaiian Islands.

TRANS-ATLANTIC FIRE INS. CO. OF HAMBURG.

Capital of the Company and reserve, reichsmarks	6,000,000
Capital their reinsurance companies	101,650,000
Total reichsmarks	107,650,000

North German Fire Insurance Co OF HAMBURG.

Capital of the Company and reserve, reichsmarks	8,390,000
Capital their reinsurance companies	85,000,000
Total reichsmarks	43,880,000

The undersigned, general agents of the above companies, for the Hawaiian Islands, are prepared to insure Buildings, Furniture, Merchandise and Produce, Machinery, etc.; also Sugar and Rice Mills, and Vessels in the harbor, against loss or damage by fire on the most favorable terms.

H. HACKFELD & CO., Limited

CANADIAN PACIFIC RAILWAY The Famous Tourist Route of the World.

In Connection With the Canadian-Australian Steamship Line Tickets Are Issued

To All Points in the United States and Canada, via Victoria and Vancouver.

MOUNTAIN RESORTS: Banff, Glacier, Mount Stephen and Fraser Canon.

Empress Line of Steamers from Vancouver

Tickets to All Points in Japan, China, India and Around the World.

For tickets and general information apply to

THEO. H. DAVIES & CO., LTD., Agents Canadian-Australian S. S. Line, Canadian Pacific Railway.

Castle & Cooke, LIMITED.

LIFE and FIRE INSURANCE AGENTS. . .

AGENTS FOR

New England Mutual Life Insurance Co OF BOSTON.

Aetna Life Insurance Company OF HARTFORD.

CLARKE'S B 41 PILLS Are warranted to cure Gravel, Pains in the back, and all kindred complaints. Free from Mercury. Established upwards of 80 years. In boxes 4s. 6d. each, of all Chemists and Patent Medicine Vendors throughout the World. Proprietors, The Lincoln and Midland Counties Drug Company, Lincoln, England.

